

Washington, Wednesday, May 25, 1960

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Civil Aeronautics Board

THE PRESIDENT

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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

3 CFR		33 CFR		Announcement
PROCLAMATIONS: 3350 EXECUTIVE ORDERS:		202 205 207		CFR SUPPLEMENTS (As of January 1, 1960)
10878	4575	47 CFR	•	The following Supplements are now available:
5 CFR 6	4576	8	4587	Title 7, Parts 900—959 \$1.50 Title 42 (Revised) \$4.00
7 CFR 401 PROPOSED RULES: 975 995 1011 1016 1033	4588 4588 4590 4593			Previously announced: Title 3 (\$0.60); Titles 4–5 (\$1.00); Title 7, Parts 1–50 (\$0.45); Parts 51–52 (\$0.45); Parts 53–209 (\$0.40); Parts 210–399, Revised (\$4.00); Title 8 (\$0.40); Title 9 (\$0.35); Titles 10–13 (\$0.50); Title 18 (\$0.55); Title 19 (\$1.00); Title 20 (\$1.25); Title 21 (\$1.50); Titles 22–23 (\$0.45); Title 24 (\$0.45); Title 25 (\$0.45); Title 26 (1939), Parts 1–79 (\$0.40); Parts 80–169 (\$0.35); Parts 170–182
9 CFR 160			•	(\$0.35); Parts 300 to End (\$0.40); Title 26, Part 1 (\$\$ 1.01-1.499) (\$1.75); Parts 1 (\$ 1.500 to End)-19 (\$2.25); Parts 20-169 (\$1.75); Parts 170-221 (\$2.25); Part 300 to End (\$1.25); Titles
13 CFR 121	4577			28-29 (\$1.75); Titles 30-31 (\$0.50); Title 32, Parts 1-399 (\$2.00); Parts 400-699 (\$2.00); Parts 700-799 (\$1.00); Parts 800-999, Revised (\$3.75); Part 1100 to End (\$0.60); Title 33
15 CFR 371 22 CFR	4580	*		(\$1.75); Title 35, Revised (\$3.50); Title 36, Revised (\$3.00); Title 37, Revised (\$3.50); Title 38 (\$1.00); Title 39 (\$1.50); Title 43 (\$1.00); Title 46, Parts 1–145 (\$1.00); Parts 146–149, Revised
41	4577			(\$6.00); Part 150 to End (\$0.65); Title 47, Parts 1—29 (\$1.00); Part 30 to End (\$0.30); Title 49, Parts 1—70 (\$1.75); Parts 71—90 (\$1.00); Parts 91—164 (\$0.45); Part 165 to End (\$1.00); Title 50 (\$0.70).
OIA (CH. X): OI Reg. 1	4588	•		Order from the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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There are no restrictions on the republication of material appearing in the Federal Regulations.

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3350

NATIONAL TRANSPORTATION WEEK, 1960

By the President of the United States of America

A Proclamation

WHEREAS the strength of our Nation is dependent in large measure upon the existence of a prosperous and efficient land, air, and water transportation system; and

WHEREAS the continued prosperity and efficiency of our transportation system are the combined responsibility of the Government, the users of transportation, management, and labor; and

WHEREAS it is appropriate that we recognize the importance to our country of the transportation industry by setting aside a week in which to pay special tribute to the men and women who move our Nation's goods and people; and

WHEREAS the Congress, by House joint resolution 602, agreed to May 13, 1960, has requested and authorized the President to proclaim that the week in May 1960 in which falls the third Friday of that month shall be designated as National Transportation Week:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate the week beginning May 15, 1960, as National Transportation Week; and I urge all our people to join in appropriate activities and ceremonies with the various branches of the transportation industry and representatives of governmental agencies in such manner as will afford an opportunity for the people of each community to recognize the importance of a prosperous and efficient transportation system.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed. DONE at the City of Washington this twentieth day of May in the year of our Lord nineteen hundred and [SEAL] sixty, and of the Independence of the United States of America the one hundred and eighty-fourth.

DWIGHT D. EISENHOWER

By the President:

Douglas Dillon,
Acting Secretary of State.

[F.R. Doc. 60-4780; Filed, May 24, 1960; 10:22 a.m.]

Executive Order 10878

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY AND OTHER CARRIERS REPRESENTED BY THE WESTERN CARRIERS' CONFERENCE COMMITTEE AND CERTAIN OF THEIR EMPLOYEES

WHEREAS a dispute exists between the Chicago, Rock Island and Pacific Railroad Company and other carriers represented by the Western Carriers' Conference Committee, designated in List A attached hereto and hereby made a part hereof, and certain of their employees represented by the Switchmen's Union of North America, AFL-CIO, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended;

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive a section of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate this dispute. No member

of the board shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier.

The board shall report its findings to the President with respect to the dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Chicago, Rock Island and Pacific Railroad Company or any other carrier represented by the Western Carriers' Conference Committee, or by their employees, in the conditions out of which the dispute arose.

DWIGHT D. EISENHOWER

THE WHITE HOUSE, May 23, 1960.

LIST A

Chicago, Rock Island and Pacific Railroad Company

Davenport, Rock Island and North Western Railway Company

Denver and Rio Grande Western Railroad Company

Fort Worth and Denver Railway Company Great Northern Railway Company Kansas City Terminal Railway Company Lake Superior Terminal and Transfer Railway

Los Angeles Junction Railway Company Minneapolis & St. Louis Railway Company The Railway Transfer Company of the City of Minneapolis

Northern Pacific Terminal Company of Ore-

gon The Saint Paul Union Depot Company Sioux City Terminal Railway Company Southern Pacific Company (Pacific Lines)

(Excluding former El Paso & Southwestern System) (Excluding Nogales, Arizona Yard.)

Southern Pacific Company (Pacific Lines) (Former El Paso & Southwestern System.) Southern Pacific Company (Pacific Lines) (Nogales, Arizona, Yard.)

Spokane International Railroad Company Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans

The Western Pacific Railroad

[F.R. Doc. 60-4767; Filed, May 24, 1960; 8:49 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 2]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

The above-identified regulations as amended are hereby amended in the following respect.

Section 401.3 of the regulations for the 1961 and succeeding crop years is amended by changing the first sentence of paragraph (e) to read as follows and by adding the following new paragraph (h):

§ 401.3 Application for insurance.

(e) Applications for initial insurance on crops other than peaches shall be made on the following form.

(h) Application for initial insurance on peaches shall be made on the following form:

Application Form FCI-812-Special-Rev.
UNITED STATES DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation
APPLICATION FOR FEDERAL CROP INSURANCE FOR
196__ AND SUCCEEDING CROP YEARS

(State and County Code and Contract Number)

(Name and address) (County) (State)

A. The undersigned applicant, subject to the provisions of the regulations of the Federal Crop Insurance Corporation (herein called the "Corporation"), hereby applies to the Corporation for insurance on his interest in the crops stated below that are insurable crops planted on insurable acreage as shown on the county actuarial tables of the Corporation for the above-stated county. The applicant elects each amount of insurance per acre shown below which in each case shall be an electable amount as shown on the applicable county actuarial table on file in the Corporation's office for the above county, but shall not exceed the maximum amount of insurance per acre that is applicable as shown on such table.

(Crop(s)) (Dollars per acre)

B. Upon acceptance of this application by the Corporation the contract shall be in effect for the crop year specified above and shall continue for each succeeding crop year until cancelled or terminated in accordance with the provisions of the contract. This application, the applicable insurance policy, endorsements, and the county actuarial tables for each crop year on file in the Corporation's office for the above county shall constitute the contract.

C. The insurable crops, premium rates, and amounts of insurance shall be those

shown on the county actuarial tables for the applicable crop year on file in the county office of the Corporation. For each crop year of the contract, acreage is insurable only if it is in an area which is shown as approved for that crop year on crop insurance maps or other land identification lists included in the county actuarial tables, and for which a premium rate is shown on such tables for that crop year. Any changes in the contract shall be on file in the county office at least 15 days prior to the applicable cancellation date.

D. This application, when executed by a person as an individual, shall not cover his interest in a crop produced by a partnership. When signed by two or more persons, this application shall cover only that acreage of the crop or crops designated above in which all of the applicants have an interest and such acreage shall not be covered by any other insurance contract any of such applicants may have with the Corporation.

(Signature of applicant)

(Witness to signature)

E. Recommended for acceptance by

(Corporation representative)

F. Accepted for the Corporation by

(State director)
...., 19...
(Date)

Name of other contact, if any:
(Address)
Marketing agency

(Sec. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on May 16, 1960.

[SEAL]

F. N. MCCARTNEY, Secretary,

Federal Crop Insurance Corporation.

Approved on May 19, 1960.

Marvin L. McLain, Assistant Secretary.

[F.R. Doc. 60-4688; Filed, May 24, 1960; 8:46 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Justice

Effective upon publication in the Federal Register, paragraphs (d)(6) and (e)(9) of § 6.308 are revoked and para-

graph (d)(10) is amended as set out below.

§ 6.308 Department of Justice.

(d) Anti-Trust Division. * * *

(10) Chief, Field Office (6 positions). (R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERV-ICE COMMISSION,

[SEAL] MARY V. WENZEL,

Executive Assistant.

[F.R. Doc. 60-4706; Filed, May 24, 1960; 8:48 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER I-FUR BEARING ANIMALS

PART 160—ALASKA FUR FARMING REGULATIONS

Revocation and Deletion of Part

Part 160 of Title 9, Alaska Fur Farming Regulations, is hereby revoked and deleted from the Code of Federal Regulations.

Section 6(e) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), as amended, provides that the administration and management of the fish and wildlife resources of Alaska shall be transferred to the State of Alaska on the first day of the first calendar year following the expiration of ninety calendar days after the Secretary of the Interior certifies to the Congress that the Alaska provision for the administration, management, and conservation of said resources in the broad national interest.

On April 27, 1959, the Secretary of the Interior, Fred A. Seaton, certified to Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of the fish and wildlife resources of Alaska. These functions were terminated by the United States on December 31, 1959 and assumed by the State of Alaska on January 1, 1960.

The functions of this Department relating to the licensing and regulating of fur farming in Alaska were assumed by the State of Alaska on January 1, 1960. (Sec. 6, Chapter 94, SLA 1959). Licenses and information may be obtained from the Commissioner, Alaska Department of Fish and Game, Juneau, Alaska.

Done at Washington, D.C., this 20th day of May 1960.

E. L. Peterson, Assistant Secretary.

[F.R. Doc. 60-4704; Filed, May 24, 1960; 8:48 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter 1—Small Business
Administration

[Amdt. 5]

PART 121—SMALL BUSINESS SIZE STANDARDS

Miscellaneous Amendments

The Small Business Size Standards Regulation (Revision 1), as amended (24 F.R. 3491, 5628, 7458, 7943, 9329), is hereby further amended by:

1. Deleting § 121.3-2(b) and substituting in lieu thereof revised § 121.3-2(b) as follows:

§ 121.3-2 Definition of terms.

- (b) "Annual Sales or Annual Receipts" means the annual sales or annual receipts, less returns and allowances, of a concern and its affiliates during its most recently completed fiscal year.
- 2. Deleting the words "without action" from § 121.3-4(b) and substituting in lieu thereof the words "with recommendations." As amended § 121.3-4(b) reads as follows:
- § 121.3-4 Application for size determination and Small Business Certificate.
- (b) Completed SBA Forms 355 involving requests for Small Business Certificates or questions of dominance shall be reviewed by the Regional Director and Regional Counsel to develop additional facts, if necessary, and then shall be forwarded, without recommendations, to the Office of Economic Adviser. All Small Business Certificates and determinations on questions of dominance will be issued by the Office of Economic Adviser.
- 3. Deleting § 121.3-5(a) and substituting in lieu thereof revised § 121.3-5(a) as follows:

§ 121.3-5 Protest of small business status.

(a) Any bidder, offerer or other interested party may, prior to award, question the small business status of an apparently successful bidder or offerer by sending a written protest to the Contracting Officer and a written protest to the SBA Regional Director for the region in which the Contracting Officer is located. Any Contracting Officer may similarly question the small business size status of an apparently successful bidder or offerer by sending a written protest to the SBA Regional Director for the region in which the Contracting Officer is located. Such protest shall contain a statement of the basis for the protest and the facts necessary to support the protest. Upon receipt of a protest the SBA Regional Director shall promptly notify the Contracting Officer of the date such protest was received and shall advise the apparently successful bidder or offerer in question, that its size status is under review.

4. Deleting § 121.3-8(c) and substituting in lieu thereof revised § 121.3-8(c) as follows:

§ 121.3-8 Definition of small business for Government procurement.

- (c) Small business certificates. (1) A business concern employing more than 500 persons, but not more than 1,000 persons, may qualify for a Small Business Certificate within a particular industry or field of operation in those cases where there is a high concentration of output in a few large companies and there are a limited number of companies having 500 or fewer employees. In order to qualify for a Small Business Certificate, it is not sufficient merely to show that a business concern is not dominant in an industry or field of operation. The use of any Small Business Certificate shall be limited to Government contracts for specified commodities, services or research and development.
- (2) Any concern employing more than 500 persons, but not more than 1,000 persons, which believes it may qualify for a Small Business Certificate may apply to the SBA field office nearest to such corer's principal place of business for a Small Business Certificate in accordance with the requirements of § 121.3-4.
- . (3) Small Business Certificates may be issued to such concerns if it is determined by SBA that the applicant, together with its affiliates, is a small business in its industry or field of operation and the issuance of such a certificate would be in accordance with the intent and purpose of the Act. The holder of such certificate will then qualify subject to the terms of the certificate as a small business concern for Government procurement purposes. Whenever a Small Business Certificate is issued by SBA the industry or field of operation of the concern so certified shall be published in Schedule B of this part.
- 5. Amending § 121.3-9 by deleting subparagraphs (2) and (3) of paragraph (a) and substituting in lieu thereof revised subparagraphs (2) and (3), and by deleting the phrase "paragraphs (a) and (b)" from paragraph (c) and substituting in lieu thereof the phrase "paragraph (a) or (b)." As amended, § 121.3-9 reads as follows:

§ 121.3-9 Definition of small business for sales of Government property.

(a) * * *

(2) Other than manufacturers. Any business concern which is primarily not a manufacturer (except as specified in subparagraph 3 of this paragraph) is small if its annual sales or annual receipts for its preceding three fiscal years do not exceed \$5,000,000.

(3) Stockpile purchasers. Any business concern primarily engaged in the purchase of materials which are not domestic products is small if its average annual sales or annual receipts for its preceding three fiscal years do not exceed \$25,000,000.

(c) Self certification of a small business. In the submission of a bid or proposal for the purchase of Government-

owned property, a concern which meets the criteria of paragraph (a) or (b) of this section, may represent that it is a small business. In the absence of a written protest, such concern, shall be deemed to be a small business for the purpose of the specific Government sale involved.

6. Deleting paragraph (a) of § 121.3-10 and substituting in lieu thereof the revised paragraph (a) as follows:

§ 121.3-10 Definition of small business for SBA business loans.

(a) Certificates of Competency. A concern which is a small business under § 121.3-8 which has applied for or received a Certificate of Competency is a small business eligible for an SBA loan to finance the contract covered by the Certificate of Competency.

This amendment shall become effective upon publication in the Federal Register.

(Amendment issued under the authority of section 5 of Public Law 85-536, 72 Stat. 385)

PHILIP McCallum,
Administrator.

MAY 16, 1960.

[F.R. Doc. 60-4685; Filed, May 24, 1960; 8:46 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

Miscellaneous Amendments

Part 41, Chapter I, Title 22 of the Code of Federal Regulations is hereby amended in the following respects:

§ 41.1 [Amendment]

1. The definition of the term "diplomatic passport" contained in § 41.1 Definitions is amended to read as follows:

Diplomatic passport. "Diplomatic passport" means a national passport bearing that title and issued by a competent authority of a foreign government. "Equivalent of a diplomatic passport" means a national passport, other than a specifically described diplomatic passport, which is issued by a competent authority of a foreign government and which indicates the career diplomatic or consular status of the bearer, the issuing government being one which does not issue diplomatic passports to its career diplomatic and consular officers.

- 2. Section 41.5(d) is amended to read as follows:
- § 41.5 Nonimmigrants exempted by law or treaty from the requirements of passports, visas, and border-crossing identification cards.
- (d) Armed Services personnel entering under NATO Status of Forces Agree-

ment. Personnel belonging to the land, sea or air armed services of a government which is a Party to the North Atlantic Treaty and which has ratified the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, signed at London on June 19, 1951, and entering the United States under the provisions of Article III of such Agreement pursuant to an individual or collective movement order issued by an appropriate agency of the sending State or of the North Atlantic Treaty Organization. (TIAS 2846; 4 U.S.T. 1792)

- 3. Section 41.7 (b), (c), and (e) are amended to read as follows:
- § 41.7 Waiver of visa and/or passport requirements by joint action of consular and immigration officers.
- (b) Passport waiver; aliens for whom passport extension facilities are unavailable. An alien whose passport is not valid for the period prescribed in section 212(a) (26) of the Act and who is embarking for the United States at a port or place remote from any foreign diplomatic or consular establishment at which the passport could be revalidated.
- (c) Passport waiver; aliens precluded from obtaining passport extensions by foreign government restrictions. An alien whose passport is not valid for the period prescribed in section 212(a) (26) of the Act and whose government as a matter of policy does not revalidate passports more than six months in advance of their expiration or until they actually expire.
- (e) Visa and passport waiver; members of armed forces of foreign countries making friendly visits to the United States. An alien who is on active duty as a member of the armed forces of a foreign country and who is a member of a group of such force which is making a friendly call in the United States, whether courtesy or operational, and whether in behalf of his own government or in behalf of the United Nations, under advance arrangements made with the military, naval, or air force authorities of the United States, other than an alien who is a citizen or resident of Albania, Bulgaria, Communist-controlled China ("Peoples Republic of China"), Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, North Korea ("Peoples Democratic Republic of Korea"), North Viet-Nam (Viet Minh), Poland, Rumania, the Soviet Zone of Germany ("German Democratic Republic"), or the Union of Soviet Socialist Republics.
- 4. Section 41.12 is amended to read as follows:

§ 41.12 Classification symbols.

A visa issued to a nonimmigrant alien within one of the classes described in this section shall bear an appropriate symbol to be inserted by the consular officer in the space provided in the visa stamp to show the classification of the alien. The following symbols shall be used:

		· · · · · · · · · · · · · · · · · · ·
Class	Citation	Symbol to be inserted in visa
Ambassador, public minister, career diplomatic or consular officer, and	101(a)(15)(A)(i)	A-1
members of immediate family. Other foreign government official or employee, and members of imme-	66 Stat. 167. 101 (a) (15) (A) (ii)	A-2
diota family	66 Stat. 167. 101(a)(15)(A)(iii)	A-3
Attendant, servant, or personal employee of A-1 and A-2 classes, and members of immediate family. Temporary visitor for business.	66 Stat. 167. 101(a)(15)(B)	B-1
Temporary visitor for pleasure	66 Stat. 167. 101(a)(15)(B)	B-2
Alien in transit.	66 Stat. 167	
Alien in transit to United Nations Headquarters District under § 11 (3),	101(a) (15) (C)	C-2
(4), or (5) of the Headquarters Agreement. Foreign government official, members of immediate family, attendant,	66 Stat. 167. 212(d) (8)	C-3
servant, or personal employee, in transit. Crewman (seaman or airman)	66 Stat. 188.	D
Treaty trader, spouse, and children	101 (a) (15) (D)	E-1
	I 66 Stat 168.	
Treaty investor, spouse, and children	66 Stat. 168.	15-2 1F
Student.	101(a) (15) (F)	_
Principal resident representative of recognized foreign member government to international organization, his staff, and members of immediate family.	101 (a) (15) (G) (i)	G-1
Other representative of recognized foreign member government to international organization, and members of immediate family.	101(a) (15) (G) (ii) 66 Stat. 168.	G-2
Representative of nonrecognized or nonmember foreign government to international organization, and members of immediate family.	101(a) (15) (G) (iii)	G-3
International organization officer or employee, and members of immediate family.	101(a) (15) (G) (iv)	G-4
Attendant, servant, or personal employee of G-1, G-2, G-3, and G-4 classes, and members of immediate family.	101(a)(15)(G)(v) 66 Stat. 168.	G-5
Temporary worker of distinguished merit and ability	101(a) (15) (H) (i)	H-1
Temporary worker performing services unavailable in the United States	101(a)(15)(H)(ii)	H-2
Industrial trainee	66 Stat. 168. 101(a)(15)(H)(iii)	H-3
Representative of foreign information media, spouse and children	101(a)(15)(I)	I
Exchange visitor	66 Stat. 168. 402(f) and 101(a) (15)	5
Principal permanent representative of Member State to NATO (including any of its subsidiary hodies) resident in the United States and	66 Stat. 276, 167 Art. 12, 5 UST 1094 Art. 20, 5 UST 1098.	NATO-1
ing any of its subsidiary bodies) resident in the United States and resident members of his official staff; Secretary General, Deputy Secretary General, Assistant Secretaries General and Executive Secretary of	30,000	
NATO; other permanent NATO officials of similar rank; and members of immediate family.]
Other representatives of Member States to NATO (including any of its subsidiary bodies) including representatives, advisers and technical	Art. 13, 5 UST 1094 Art. 1, 4 UST 1794.	NATO-2
experts of delegations and members of immediate family: dependents of	Art. 3, 4 UST 1796.	
member of a force entering in accordance with the provisions of the NATO Status-of-Forces Agreement or in accordance with the provisions of the Protocol on the Status of International Military Headquarters;		ŀ
members of such a force if issued visas. Official clerical staff accompanying a representative of Member State to	Art. 14, 5 UST 1096	NATO-3
NATO (including any of its subsidiary bodies) and members of immedi-	{	}
ate family. Officials of NATO (other than those classifiable under NATO-1) and members of immediate family.	Art. 18, 5 UST 1098	NATO-4
Experts, other than NATO officials classifiable under the symbol NATO-4, employed on missions on behalf of NATO; and their dependents.	Art. 21, 5 UST 1100	NATO-5
Members of a civilian component accompanying a force entering in accordance with the provisions of the NATO Status-of-Forces Agreement;	Art. 1, 4 UST 1794 Art. 3, 5 UST 877.	NATO-6
members of a civilian component attached to or employed by an Allied Headquarters under the Protocol on the Status of International Mili-		1
tary Headquarters set up pursuant to the North Atlantic Treaty; and	:	İ
their dependents. Attendant, servant, or personal employee of NATO-1, NATO-2, NATO-3, NATO-4, NATO-5, and NATO-6 classes, and members of immediate	Arts. 12-20, 5 UST 1094-1098.	NATO-7
families.		· ·
	•	·

5. Section 41.36 is amended to read as follows:

§ 41.36 Foreign government official crewmen.

Alien crewmen serving on board a foreign warship or other vessel of war, or military, naval or other aircraft of the armed forces of a foreign country, when making a friendly call at a United States port under advance arrangements made with the military authorities of the United States, or any other government vessel or aircraft shall not be subject to the provisions of § 41.91(a) (26) if the documentary requirements have been waived by the Secretary of State and the Attorney General pursuant to section 212(d) (4) of the Act.

6. Section 41.70 is amended to read as follows:

§ 41.70 NATO representatives, officials and employees.

- (a) (1) An alien shall be classifiable under the symbol NATO-1, NATO-2, NATO-3, NATO-4, or NATO-5 (see § 41.12 for classes of aliens entitled to classification under each symbol) if he establishes to the satisfaction of the consular officer that he is seeking admission to the United States under the applicable provision of the Agreement on the Status of the North Atlantic Treaty Organization, National Representatives and International Staff, or that he is a member of the immediate family of an alien classified under the smybol NATO-1, NATO-2, NATO-3, NATO-4, or NATO-5.
- (2) Armed services personnel entering the United States in accordance with the

provisions of the NATO Status-of-Forces Agreement or in accordance with the provisions of the Protocol on the Status of International Military Headquarters may enter the United States under the appropriate treaty waiver of documentary requirements contained in § 41.5 (d) or (e), but if issued visas shall be classifiable under the symbol NATO-2.

(3) Dependents of armed services personnel referred to in paragraph (a) (2) shall be classifiable under the symbol NATO-2.

(b) An alien member of a civilian component accompanying a force entering in accordance with the provisions of the NATO Status-of-Forces Agreement, and his dependents, or an alien member of a civilian component attached to or employed by an Allied Headquarters under the Protocol on the Status of International Military Headquarters set up pursuant to the North Atlantic Treaty, and his dependents, shall be classifiable under the symbol NATO-6.

(c) An alien attendant, servant, or personal employee of an alien classified under the symbol NATO-1, NATO-2, NATO-3, NATO-4, NATO-5, or NATO-6, and the members of the immediate family of such attendant, servant, or personal employee, shall be classifiable under the symbol NATO-7.

CROSS REFERENCES: 1. For exemption from certain grounds for refusal of visas to NATO aliens, see § 41.91(e).

2. For exemption from passport validity requirement for certain NATO aliens, see § 41.91(f).

(5 U.S.T. 877, 1094)

§ 41.91 [Amendment]

- 7. The heading to paragraph (a) (23) of § 41.91 is amended to read "Narcotics traffickers".
- 8. Section 41.91 (c) (1) (iv), (v), and (vi) is amended to read as follows:
- (c) Failure of application to comply with Act. (1) * * *
- (iv) The applicant refuses to be fingerprinted if required by the Act or the regulations contained in this part;
 (v) The necessary fee is not paid for

the issuance of a nonimmigrant visa; or
(vi) The application otherwise fails to

- meet the specific requirements of the Act for reasons for which the applicant is responsible.
- 9. Section 41.91(e) (2) (viii) is amended to read as follows:
- (e) Grounds for refusal of visas applicable to certain nonimmigrant classes. * * * (2) * * *

(viii) Classes NATO-2, NATO-3, NATO-4 and NATO-6: Section 212(a) (27) and (29).

- 10. Section 41.91(f) is amended to read as follows:
- (f) Exception from passport validity requirement for certain nonimmigrants. A nonimmigrant alien in whose case the passport requirement of section 212(a) (26) has not been waived and
- (1) Who is within one of the classes of nonimmigrants described in section 101(a) (15) (A) (i) and (ii) of the Act, or

- (2) Who is within one of the classes of nonimmigrants described in section 101(a) (15) (G) (i), (ii), (iii), and (iv) of the Act, or
- (3) Who is within a class of nonimmigrants classifiable under the visa symbol NATO-1, NATO-2, NATO-3, NATO-4, or NATO-6.

shall present a passport which is valid for a sufficient period to enable the alien to apply for admission at a port of entry prior to its expiration.

CROSS REFERENCE: For validity period of passport for alien classifiable under section 212(d)(8) of the Act, see § 41.6(e)(2).

- 11. Section 41.104(a) (11), (12), and (13) is amended to read as follows:
- § 41.104 Classes of aliens eligible to receive official visas.

* * * * * * (a) * * *

- (11) Officers and employees of foreign governments recognized de jure by the United States who are stationed in foreign contiguous territories or adjacent islands;
- (12) Members of the immediate family, attendants, servants and personal employees of, when accompanying or following to join, a principal alien who is within one of the classes referred to or described in subparagraphs (1) to (11) inclusive of this paragraph;
- (13) Attendants, servants and personal employees accompanying or following to join, a principal alien who is within one of the classes referred to or described in subparagraphs (1) to (13) inclusive of § 41.102(a);
- 12. Section 41.111 (c) (2) and (d) (1) (ii) is amended to read as follows:

§ 41.111 Supporting documents.

(c) Photographs. * * *

- (2) within a class of nonimmigrants classifiable under the visa symbol NATO-1, NATO-2, NATO-3, NATO-4, or NATO-6,
 - (d) Police certificates. * * *
- (1) * * *
- (ii) within a class of nonimmigrants classifiable under the visa symbol NATO-1, NATO-2, NATO-3, NATO-4, or NATO-6.
- 13. Section 41.112(a) is amended to read as follows:

§ 41.112 Passports.

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- (a) Pacsport requirement. Except for certain persons in the A, C-3, G and NATO categories and persons for whom the passport requirement has been waived pursuant to the provisions of section 212(d) (4) of the Act, every applicant for a nonimmigrant visa shall present a passport as defined in section 101(a) (30) of the Act and § 41.1 which is valid for the period required by section 212(a) (26) of the Act,
- 14. Section 41.114(b) is amended to read as follows:

§ 41.114 Personal appearance.

(b) within a class of nonimmigrants classifiable under the visa symbol NATO-1, NATO-2, NATO-3, NATO-4, or NATO-6.

15. Section 41.120(a) is amended to read as follows:

§ 41.120 Authority to issue visas.

- (a) Issuance in the United States. The Director of the Visa Office of the Department and such other officers of the Department as he may designate are authorized, in their discretion, to issue nonimmigrant visas, including diplomatic visas, or to revalidate nonimmigrant visas previously issued, to qualified aliens in the United States who are within one of the following classes and who intend, after a temporary absence, to reenter the United States in the nonimmigrant status specified in the visa: (1) Nonimmigrants described in section 101(a) (15) (A) or section 101(a) (15) (G) of the Act or nonimmigrants classifiable under the visa symbol NATO-1, NATO-2. NATO-3, NATO-4, NATO-5, NATO-6, or NATO-7, who have been duly notified to the Secretary of State in such nonimmigrant status;
- (2) Nonimmigrants described in section 101(a) (15) (I) of the Act who are bearers of passports containing an I, A, or G visa, and who have been duly accredited by a foreign information medium; or
- (3) Nonimmigrants described in section 101(a) (15) (E) of the Act.
- 16. Section 41.134(c) (3) is amended to read as follows:
- § 41.134 Revocation and invalidation of visas.
- (c) Procedure in revoking or invalidating visa. * * *
- (3) Notice of revocation or invalidation, including a full report of the facts in the case, shall be submitted promptly to the Department for transmission to the Immigration and Naturalization Service. No such notice and report shall be required in the case of an invalidation if the visa has been cancelled prior to the alien's departure for the United States except in cases involving A, G, C-2, C-3, NATO, diplomatic or official visas.

Effective date. The regulations contained in this order shall become effective upon publication in the FEDERAL REGISTER.

The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) relative to notice of proposed rule making are inapplicable to this order because the regulations contained therein involve foreign affairs functions of the United States.

JOHN W. HANES, Jr., Administrator, Bureau of Security and Consular Affairs.

MAY 19, 1960.

[F.R. Doc. 60-4689; Filed, May 24, 1960; 8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

PART 205—DUMPING GROUNDS REGULATIONS

PART 207—NAVIGATION REGULATIONS

Miscellaneous Amendments

1. Pursuant to the provisions of section 1 of an Act of Congress approved April 22, 1940 (54 Stat. 150; 33 U.S.C. 180), § 202.60(u-1) is hereby prescribed designating a special anchorage area in Hempstead Harbor, New York, wherein vessels not more than 65 feet in length, when at anchor, shall not be required to carry or exhibit anchor lights, as follows:

§ 202.60 Port of New York and vicinity.

- (u) Oyster Bay Harbor, N.Y. * * * (u-1) Hempstead Harbor, New York. That portion of the waters of Hempstead Harbor southerly of the Glen Cove Breakwater, northerly of a line ranging from "Dome" at Sea Cliff through Hempstead Harbor Buoy 9, and easterly of a line ranging from Glen Cove Breakwater Light through Hempstead Harbor Anchorage Buoys "A" and "B" and Hempstead Harbor Buoy 9, except for the entrance to Glen Cove Creek as defined by Hempstead Harbor Anchorage Buoy "A" and Glen Cove Entrance Buoy 1 on the north side of the entrance, and Hempstead Harbor Anchorage Buoy "B" and Glen Cove Entrance Buoy 2 on the south side of the entrance.
- 2. Pursuant to the provisions of section 4 of the River and Harbor Act of March 3, 1905 (40 Stat. 1147; 33 U.S.C. 419), § 205.35 establishing and governing the use of two dumping grounds in the Gulf of Mexico off the Texas Coast is hereby revoked, effective upon publication in the Federal Register, as follows:

§ 205.35 Gulf of Mexico off Texas Coast. [Revoked]

3. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.11 is hereby prescribed establishing and governing the use of a restricted area in Weymouth Back River, Weymouth and Hingham, Massachusetts, and § 207.65, establishing and governing the use of a naval restricted area in the Atlantic Ocean off Sandy Hook, New Jersey, is hereby revoked, as follows:

§ 207.11 Weymouth Back River, Weymouth and Hingham, Massachusetts; restricted area.

(a) The area. That part of Weymouth Back River extending upstream from the

highway bridge at latitude 42°14'47'' about 7,700 feet to latitude 42°13'33''.

(b) The regulations. All vessels are prohibited from entering the area unless approved by the Commandant, First Naval District, or such agency as he may designate, except vessels of other military agencies required to perform work in the area.

§ 207.65 Atlantic Ocean off Sandy Hook, N.J.; naval restricted area. [Revoked]

4. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), \$ 207.164b is hereby prescribed establishing and governing the use of a restricted area in Cooper River and its tributaries in the vicinity of the Naval Ammunition Depot, Charleston, South Carolina, as follows:

§ 207.164b Cooper River and tributaries at Naval Ammunition Depot, Charleston, S.C.; restricted area.

(a) The area. That portion of Cooper River extending from the mouth of Goose Creek to Red Bank Landing, a distance of approximately 4.8 miles, and the tributaries to Cooper River within 1½ mile radii of the ammunition piers.

(b) The regulations. (1) Vessels other than those authorized by the Commanding Officer, Naval Ammunition Depot, entering the restricted area shall proceed at normal speed and under no circumstances anchor, fish or loiter in any until clear of the restricted area. The area will be marked with suitable warning signs.

(2) The regulations in this section shall be enforced by the Commanding Officer, Naval Ammunition Depot, Charleston, S.C., and such agencies as he may designate.

[Regs., May 6, 1960, 285/91—ENGCW-O] (Sec. 1, 54 Stat. 150, sec. 4, 40 Stat. 1147, and sec. 7, 40 Stat. 266; 33 U.S.C. 1, 180, 419)

BRUCE EASLEY, Major General, U.S. Army, Acting The Adjutant General.

[F.R. Doc. 60-4674; Filed, May 24, 1960; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS
[9th Gen. Rev. of Export Regs., Amdt. 35 1]

PART 371—GENERAL LICENSES Supplement 1

Section 371.51 Supplement 1; Commodities subject to General License GHK or GLSA is amended to read as follows:

§ 371.51 Supplement 1; Commodities subject to General License GHK or GLSA.

Commodities identified by the symbol "H" are subject to General License GHK (371.23). Commodities identified by the symbol "S" are subject to General License GLSA (§ 371.24).

Commodity	Schedule B No.	Symbol
Animals, edible Meat and meat products Animal oils and fats, edible. Dairy products. Fish and fish products. Other edible animal products. Hides and skins, raw, except furs Leather Leather manufactures (except military footwear, 99930). Furs and manufactures. Animal and fish oils and greases, inedible. Other inedible animals and animal products:	00200-00480 00505-00550 00600-00698 00700-00899 00921-00990 02017-02509 03005-03590	н s н s н н н s н н н s н н н в н н н н н в н н н н н н н в н н н н
Live animals. Feathers, crude, not dressed Glue of animal and fish origin Casein, inedible. Fish, shellfish, and other marine animal products, inedible, n.e.c. Animal products, inedible, n.e.c.:	09420-09429 09990 09992-09997	HS HS HS HS
Beef glands; biological súpplies (animal origin); glands, crude; and pancreas	09999 10110-10315 10317	H HS H H H HS
Other grains and preparations. Fodders and feeds, n.e.c.: Hay Oll cake and others most data feeds and poulter feeds prepared or pixel, whether or	10321-10990	H H S H
in chief value of vegetable origin. Fodders and feeds, n.e.c., wholly or in chief value of vegetable origin: Apple pomace; fruit pulp; kelp meal; pigeon grits; and rat chow. Other fodders and feeds, n.e.c., wholly or in chief value of vegetable origin. Vegetables and preparations, edible: Beans, dry, ripe, except for seed.	12001-12030	H S H
Seed beans, all types Pens, dry, ripe, except for seed. Seed pens. Vegetables, fresh, including frozen. Vegetables and vegetable preparations, edible, n.e.c. Fruits and preparations.	12055 12071-12260 12360-12599	HS HS HS HS HS
Nuts and preparations: Apricot and peach pits and kernels (shelled or not shelled) Salted peanuts Other peanuts, shelled Pennuts, not shelled Other nuts and preparations	13740 13751 13751 13755	H 8 H 8 H H H 8

¹ This amendment was published in Current Export Bulletin 833, dated May 12, 1960.

Symbol	THE
Schedule B No.	21200-21175 212100-21175 21200-21255 22010-22059 22010-22049 2200-22049
Commodity	Naval stores, turns, at illed gums, and synthetica) and manufactures—Continued Naval stores, turns, and restina: Naval stores, turns, and restina: Naval stores, turns, and restina: Uniformed and stores, turns, and restina: Uniformed and stores, turns, and restina: Chickle and other deviver, and roots, crucie. Chickle and other deviver, and roots, crucie. Chickle and other chief, brinch leaves and restins, article, remained or modified in cond. Chickle and other drugs, brinch leaves and roots, crucie. Chickle and other drugs, brinch leaves and roots, crucie. Chickle and the chief, brinch leaves and roots, crucie. Chickle and the chief, brinch leaves and roots, crucie. Chickle and the chief, brinch leaves and roots, crucie. Chickle and the chief, brinch leaves and roots, crucie. Chickle and the chief, brinch leaves and roots, crucie. Chickle and the chief, brinch leaves and roots, crucie. Chickle and the chief, brinch leaves and roots, crucie. Chickle and the chief, brinch leaves and roots, crucie. Chickle and the chief, brinch leaves and the crucie. Chickle and the chief leaves and roots are and the chief leaves. Approx because the chief leaves and the crucie. All the chief seed all leaves and the crucie. All the chief seed and chief leaves and the crucie. All the chief seed and chief leaves and the crucie. All the chief seed and chief leaves and the crucie. All the chief seed and chief leaves and the crucie. All the chief seed and chief leaves and the crucie. All the chief seed and chief leaves and the crucies. All the chief seed and chief leaves and the crucies. All the chief seed and chief leaves and the crucies. All the chief seed and chief leaves and the crucies. All the chief seed and chief leaves and the crucies. All the chief seed and chief leaves and the crucies. All the chief seed and chief leaves and the crucies. All the chief seed and chief leaves and the crucies. All the chief seed and chief leaves and the crucies. All the chief seed and the crucies and chief lea
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Commodity	Processed oil, gets, and waster, refanct: Refanced and seather from the secretable oils: Refanced and seather from the secretable oils and feather of the secretable oils; believed oil superated oil; opposed oil;

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Commodity	Coal and related fuels. Perfolum and products. Petroleum and products motor fuel or gasoline), mineral spirits, solvents, and other finished light sliphatic products, n.e.e.: Calodorant G: Captan gas odorant; eleaners' naphtha; eleaning solvents; Graysol 375; Bacquer diluent; mineral turpentine, paint reducers, petroleum origin; paint thinners of mineral spirits; Pansaos M.YS; petroleum ether; petroleum solvent, alinhatic netronner, neervantives for wood, textiles, leather and naner. chief	value petroleum solvents and/or mineral spirits; Remutit; Soltrol; Sovasol; Staroline spirits; Stoddard solvent; turpentine substitute, chief value petroleum; varnish makers and palniters maptinis; Varsol; and Varsol varnolene.	Other funished light allohate products, n.e.c. Petroleum asphalt and petroleum asphalt products, the following only: Asphalt adhesive, asphalt plank; fiber expansion joints; joint fillers; and roofing asphalt products.	Other petroleum saphal and petroleum asphalt products	Analysis and shingle oul Stone, hydraulic cement, and lime: Building and monuments stone, and manufactures of stone. Standard Portland hydraulic cement. Concrete and cement manufactures, n.e.c.	Glass and products. Flat glass and products, except laminated glass and manufactures (52170). Ophthalmie glass and ophthalmic lens blanks. Glass bricks and blocks. Unillied glass containers, with or without closures, new and used. Table and kitchen glassware. Glass lamp chimneys, lantern globes, and globes and shades for lighting fixtures. Glass manlatows, tubes, tubing, rots, ganes, and electric light bulb blanks.	Glass products, n.e.c., not specially labricated for particular machines or equipment, except balletini reflective material; Foamglas; floaters; glass fiber products; including filters; glass fibers not for weaving, multing, and braiding; insulator brackets; Lamiglass; and reflective highway marking beads.	Clays and products: Clays and kitchen articles and utensils Sanitary articles, Vitreous and semivitreous. Pottery, n.e.e., except chemical and dustrial Structural clay products (except pottery and refractories) Nonstructural clay products. n.e.e.	Other nonmetallic minerals and products (precious included): Whetexnee (sticke, files and blocks) of natural abrasives. Grindstones and pullystones of the same and pullystones and pullystones and pullystones. Metal abrasives. Distonaceous earth and products (including abrasives), n.e.c. Asbestos and manufactures, arecept clutch facing and brake liming (54580-54587). Viryl floor tiles and Viryl asbestos tiles.	A sphalt tile. A sphalt or tar composition roofing and siding and other asphalt saturated heavy paper products for construction. A sphalt and bitumen and trainfal or the product of the	Refractory crucibles, retorts, stoppers, and other carbon and graphite refractories. Carbon or graphite products, n.c., except: graphite greeses and hibricants; spectroscopic carbons; and graphite products having smallest dimension of 2 inches or over. Gypsum and manufactures. Gypsum and manufactures are smalled material. Rosk wool, and other glass fiber insulating material. Rock wool, and other semi-figld and "fill" mineral insulating materials, n.e.c. Mers, and micra manufactures, n.e.c.	Magnesite and magnesis (coar volume dead-burned), and manufactures, except magnesis cement and magnesis of 97 percent purity or higher. Salt, carde and refined. Tale, steatite, sospistone, and pyrophyllite Cryolite, natural and artificial. Fluorspar, all grades, except optical. Sand, n.e.c. Grayel, except coarses are supplied to the coarse of the co	Kyanite and allied minerals, cruide, ground, or calcined, except mullite grains and pellets, natural and synthetic.
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Commodity	Man-made fibers and manufactures—Continued Taxtile glass staple and tow—Taxtile glass fibers for wearing, knitting and bridting, and glass staple and tow—Staple and tow—Taxtile glass fibers and tow—Taxtile and tow—Taxtile glass fibers find tow—Taxtile glass fibers find tow—Taxtile glass staple and tow—Taxtile glass fibers—Taxtile glass fibers—	Other waste and partially manufactured man-made fiber. Broad woven goods, wholly or in chief weight man-made fibers, except parachure cloth and polytetrafluorochylene (Teflon) fabric.	Anti-took in the prec, wholy on the weight mani-make inch braits (other than hat braids), wholly or in chief weight man-made fibers, trimmings and braids (other than hat braids), wholly or in chief weight man-made fibers, except nylon webbing (38482); and polytetrafinorotehylene (e.g., Telon) flobrics. Wearing annual house furnishings and fortile manifestimes near wholly or in chief	weight man-made fibers, except nylon fishing line, unfinished; nylon twhie, and nylon rope (38260). Miscellaneous textile products: Lincleum, leit base coverings, and olicloth for floor, shelf, table and wall. Pyroxylin-coated or impregnated fabrics, the following only:	Arthical teatured remnants, textue base; book cloth; and transparent training cloth, not sensitized. Other pyroxylin-coated or impregnated fabrics, except fabrics treated with or containing polytetrafluorocthylene (e.g., Teflon) or monochlorotrifluorocthylene (e.g., CF-3). Other coated or impregnated fabrics, except Flexkin AL-59, and fabrics treated with	or containing polytetrafluoroethylene (e.g., Teflon) or monochlorotrifluoroethylene (e.g., CF-3). Waterproof outer garments, new, except rubber and rubberized. Correct, bussieres and gridles, new, except rubber and rubberized. Neckties, cravats, muffers, and scarves, new (all fibers). Hat briefs of natural or man-made fibers. Hats, caps, hat and cap bodies of straw, palm leaf, and similar fibers (natural or man-made). made), new.	Furter and woot-telt hats, caps and hat bodies, new. Hats, caps, and berets, new, n.e.c. Artificial flowers, fruits, vegetables, grasses, grains, leaves, stems, or parts thereof (all materials).	Mattresse, cotton Mattresse, cotton Mattresses, kapok, moss, and hair Textile manufactures, n.e.c. Wood, unmanufactured, except Port Orford cedar (40170). Port Orford cedar 108; bolts, and hewn timber	Sawmill products: Sawmill products: Sawmill products accept Port Orford cedar (40675) Port Orford cedar lumber Port Orford cedar lumber Other sawmill products Wood manufactures: Wood containers, shooks, cooperage, and cooperage stock Veneers Softwood plywood, interior type	Uther plywood and composite boards. Shingles. Milwork. Prefabricated and ready-out buildings and components, wood or chief value wood. Vood manufactures, n.e.a. except battery separators and blanks and separator veneers (42946); and boat parts, small machined to fanne; portable; Fiberential mainages of melaminephend formal delynder severits, sawdist, or ground-wood and name; on		Wastepaper and paper stock, n.e. Paper, related products and manufactures: Paper and paper stock, n.e. Paper and paper-board, except thin fine paper (48150), and special industrial paper (48270). Stationery and office supplies. Metal foil, paper-board, except gold foil Oiled, waxed, wax-lamimated, and other waterproof wrapping papers, except Kleerview (Bacquer-coasted glassine paper). Cellophane tape, gummed. Other pressure sensitive or gummed tape of paper, cloth, or plastic, n.e.c., and gummed.	paper, except polytetrafluoroethylene (e.g., Teflon) tape. Other paper, paperboard, and products, n.e.c., not specially fabricated for particular machines or equipment, except processed paper for dielectric use.

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Schedule Sy B No.	61909 1916-61918 1920-61922 1924-61926 61936 61936 61946 61946 61956 61956 61956 61956 61956 61956 61956 61956 61956	61964 61969 61989 61990	61991 61995 61995 62133—62210	62240 250-62280 270-62280 62290 63001	001-63065 040-65150 65476 65476 701-65805 101-65805 101-66407 6641
Commodity	Metal manufactures—Continued Metal lath Sash, sections, and frames, door and window Sash, sections, and frames, door and window Other construction materials. Sories, nec construction materials. Sories, nec construction materials. Sories, nec door sand specially fabricated parts and accessories, nec. Filled milk cans. Unfilled milk cans. Aluminum seren cloth. Wire cloth, iron and steel. Wire retuin or only, iron and steel. Wire bred and cushion springs (all steel grades). Wire bred and cushion springs (all steel grades). Cotton bale ties and buckles, standard and high density. Wire products, n.e., not specially fabricated for particular machines and equipment, the following only: Fasteners for apper milk bottle caps; grating with wire center, steel; helically colled wire inserts; needleboard pressboards; wire baskets; wire insulators for conveyor	beliting; wire insulators for upholstery webbuig; wire locker beskets with Innger gruide; wire nots, fluitsdel; and wire rope claups. Wire cloth sieve, and welded mesh (other than reinforcing), except mesh composed of wire containing 55 percent or more nickel with 60 or more wires per linear centifmed. Aluminum foll and leaf (less than .006 inch in thickness). Metal signs, except clottic, iron and steel. Iron and steel manufactures, n.e.c., and parts, n.e.c., the following only: punchings.	except electrical steel; steel shot; stainless steel packing; and tubular steel scaffold. Metal manufactures, n.e.c., and parts, n.e.c., except iron and steel and except precious metals, the following only: Imitation gold leaf; metal signs, except electric, n.e.c.; and venetian blinds (including slats and strip) and specially fabricated parts and excessories, n.e.c Aluminum perforated plates and sheets; leaf foil; leaf collapsible tubes; tin shot; solder materials; and Tenaplate. Ferromanganese; splegeleisen; and ferrochome.	Ferrophosphorus; and ferrosition; and ferrotingsten Chter ferrosiloys, except ferrobron; ferrocolumbium; ferrocolumbium; and ferrotings more than 50 percent zirconium Chimium ores, concentrates, scrap and semidabricated forms. Aluminum ores, concentrates, carp and semidabricated forms. Aluminum and aluminum alloy scrap, crude forms, and plates and sheets, except that which contains (1) an average copper content of 1 percent or more irrespective of other elements; or (2) an average copper content of 1 sevent or more, or (c) a magnesium of 4 percent or more, or (c) a silicon content of 3, percent or more, or (c) a magnesium content of and aluminum alloy services and semidabricated forms, no or errorit that	Attunium and altuminum and wite, and semilabricated forms, there is the defended of the defended of the analysis of (2) an average copper content of less than 10 percent or more, (10 a magnesium of percent or more, (10 a silicon content of 3.5 percent or more, (10 a magnesium of percent or more, (10 a silicon content of 3.5 percent or more, (10 a magnesium of a percent or more, (10 a magnesium of a silicon content of 3.5 percent or more, or (10 a magnesium of a magne
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Schedule B No.	59645 59009 60010-60020 60010-60020 60010-60050 60070-60050 60730 60730 60730 60730 60730 60730	61120-61165 61171 61175 61179-61195 61199	61201-61234 61236 61240 61311-61369 61423-61471	61509 61610-61620 61800-61820 61809-61812	61819 61820 61822 61824 61824 61836 61836 61849-61867 61849-61867 61879 61879 61879 61879 61879 61879 61879
Commodity	Other nonmetallic minerals and products (precious included)—Continued Other nonmetallic mineral products (other than precious), except. cuprous parties; into inneral war, and sulfur core and crude sulfur. Precious, semiprecious, synthetic, and imitation stones, n.e.e., except diamonds (genuine and synthetic); diamond bearings; jewel bearings; rubies (genuine and synthetic); diamond bearings; jewel bearings; rubies (genuine and synthetic); more, concentrates; and synthetic). Iron ore, concentrates; and pig tron. Iron products and steel mill products; rolled and finished: Balls, trackwork, and track accessories (all steel grades). Railway car and locomotive wheel; axies, and tires, cast, rolled or forged. Pressure pipe and soil pipe, east from Carbon steel structural shapes, not fabricated. Sheet piling (all steel grades). Barbed wire. Steel mill products; rolled and finished, n.e.c. Castings and forgings. from and steel, rough and semifinished, except special types included on the Positive List under Schedule B Nos. 61006, 61055, and 61065.	Metal manufactures: Cutlery (except table flatware) and parts. Table flatware and specially fibricated parts, n.e.c.: Silver-flated. Frecious metals, except silver. Metals, except precious. Hollow ware, n.e.c., solid or plated of precious metals. Hollow ware, n.e.c., solid or plated of metals, except precious (including stainless steel).	Cooking and kitchen utensils and hand-operated kitchen appliances, n.e.,, and specially fabricated parts and accessories, n.e., and specially shirted parts and accessories, n.e., Metal ware, n.e., and specially fabricated parts and accessories, n.e., Metal ware, n.e., and specially fabricated parts and accessories, n.e., Metal furniture and fattures (including office equipment), except laboratory furniture (including office equipment, accept laboratory furniture (including office equipment and water heaters (except electric), and specially fabricated parts and accessories, n.e., Heating boilers (rated 15 pounds and under steam pressure per square incl), warm-air furnaces, radiators, convectors, and oil burners, and specially fabricated parts and	Tacksoutes, included and other saws, n.e., and specially fabricated parts and accessories, actaes, hatchets, and other saws, n.e., and specially fabricated parts and accessories, except blades for: hacksaws, circular saws, steel band, pit, drag, and mill saws (1618-61552). Hand hoes, rakes, forks, shovels, spades, scoops, and drainage tools. Hand hoes, rakes, forks, shovels, spades, scoops, and drainage tools. Hand hoes, rakes, forks, and washers, n.e.c., not specially fabricated for particular machines or equipment. Nalls, staples, and spikes, from and steel. Nalls, staples, and spikes, from and steel. Nalls, staples, and spikes, from lerrous metal, except boat spikes; wire nails; wire staples;	And ware spiral did the through the conducting that the conducting states and accessories, n.e., iron and steel. Builders' hardware, n.e., and specially fabricated parts and accessories, n.e., iron and steel. Builders' hardware, n.e., and specially fabricated parts and accessories, n.e., of metals other than iron and steel. Stainless steel. Chear iron and steel. And specially fabricated parts and accessories, n.e., other tron and steel. Chear and marine hardware, n.e., and specially fabricated parts and accessories, n.e., other than iron and steel. Bradware, n.e., and specially fabricated parts and accessories, n.e., other tron and steel hardware, n.e., except gasoline flations; sadirons; and tailors. Metals other than iron and steel, except blowguns; blowings and copper-base alloy hardware. Other iron and steel hardware, n.e., except gasoline flations; and tailors. Metal plumbing fixtures and fittings, and specially fabricated parts and accessories, n.e., except show and the steel parts and accessories, n.e., and specially fabricated parts and accessories, n.e., seel structural shapes, fabricated in distings, and steel plates, fabricated, punched, or shaped, n.e., and fittings, and steel plates, fabricated, punched, or shaped, n.e., and fittings, and steel plates, fabricated, punched, or shaped, n.e., and fittings, and steel plates, with or without appurtenances. Steel fence posts, gates, and fittings (all steel grades). Buildings, metal, prefabricated and knockdown, with or without appurtenances.

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Schedule B No.	72157 72215 72216 72245 72245 72245 72245 72445 72436 74436 76050	77696
Commodity	Orstruction: excavating, mining, oil field, and related machinery—Continued Parts and accessories, n.e., geneinily abbricated for the equipment covered in above Parts and accessories, n.e., and specially fabricated parts and accessories, n.e., and specially fabricated parts and accessories, n.e., and specially fabricated parts and accessories, n.e., parts and excessories, n.e., and specially fabricated parts and accessories, n.e., and specially fabricated parts and accessories, n.e., n.e., and specially fabricated parts and accessories, n.e., n.e., metal polishing and builds predaint type, and specially fabricated parts and accessories, n.e., n.e., n.e., t.e., t.e	Denotes the description of the following only: briquetting presses
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Schedule B No.	66540 68184-68198 69223-69229 69323-69229 69317 701100 701100 70310-70335 70340 70680	72155
Commodity	Other nonferrous ores, concentrates, scrap, and semifabricated forms (except precious) Nonferrous metals and alloys in crude form, scrap and semifabricated forms, n.e.e., and continued Nonferrous metals and alloys in crude form, scrap and semifabricated forms, n.e.e., and y semicord makes and compared and alloys. Described in the care in	Outer to status, the state of t

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Schedule B No.	80050 80050 80100 80100 81110 81110 81330 81520-81530 81540 81540 81540 81540 81540 81540 81540 81540 81540	82001- 82020-	82056 82075 82240	82260 82270 82280 82380 82380 82380 82390 82400 82700	82740 82870 82880 82895 82992 82925 82925 82928 82936 82936 82936 82936 82936 82936 82936 82936 82936 82936 82936 82936 82936 82936 82936
Commodity	Other vehicles and parts—Continued Vehicles, n.e.c., and specially fabricated parts, n.e.c., except logging wagons, motor scooters. Sinc-cats, and Sinc-cat trailers. Coal-tax and other cyclic chemical products: Coal-tax and other cyclic chemical products: Crude and refined coal-tax and other cyclic tax. Crude and rests: dys tablets, askre egg colors, except of vegetable origin; nod household int, and dys-crude in gaven of vegetable origin; and household int, and dys-crude in gaven of vegetable origin; and household interest of the castor oil, medicinal grade, in 16 ontaines on 18 castor oil. Menthol, bulk. Plasters. Salves and ointments, n.e.c. Cold. cough and bronchial preparations, except vaccines. Asthma, catarnh, and hay fever preparations, including inhalants, except salves, ointments and vaccines. Tomics, blood purifiers, embaltics and appetizers Laxatives, purgatives, embaltics and appetizers Laxatives, purgatives, embaltics and ageous, including milk of magnesia. Altracids and digestive preparations.	Headache, neurigia and pain remedies. Elizers, fluidestracks, thereures, and similar liqui solutions, n.e.c. Drugs and medicinal preparations in desage form, the following only: Corn end foot remedies; liminents; mouth weaters; gargles; and personal antisepties. Eye lotions, yee drops, raginal creems and lelles; suppositories, giverin and medicated; caustic and styptic pencils; and patented medicinal preparations of crude drugs and herb extracts. Chemical specialities Nicotine sulfate and copper sulfate.	Paradichlorobearene. Benzene herachloride, technical, and formulations containing 6 percent or more gamma isomer of benzene herachloride, technical, and formulations, n.e.c., the following only: Agricultural insecticides and insecticide formulations, n.e.c., the following only: Banzene herachloride and compositions, containing 1 to 6 percent gamma isomer. Funnigants, soil, grain, and industrial, except Acryon furnigants, as observed fundigating powder; cyamide, critide; cyanogas; D. (dichloropropene-dichloropropane, maximo);	Dowtume W-85; funn gas; nemateacles; incotine furnigating powders; soil itunigatis (chemicals); and soil furnigators. [Chemicals]; and soil furnigators. [Insecticides and other pesticides, household and industrial, n.e.c., except serosol bombs; Blackless mosquite-furner; blombs; moth balls; and naphthalene balls and flakes in packages exceeding 5 pounds, moth balls; and naphthalene balls and flakes besinted proder. [Insecticides acceptated for the production of the product	nord cenent; nor paten, contrete; run canent; roofing cenent; running board cenent; soil pipe cenenting preparations; solder glue; thread lubricant and seal compound; tire-cut filler; and wallboard cenenting preparations; solder glue; thread lubricant and seal compound; tire-cut filler; and wallboard cenenting preparations. Detergents, all types. Organic surface-active agents; the following only: Morpelwet Z; NSAE powder; Neutronyx 300 and 834 and 86questrene A, AA, and NA-2. Specialty cleaning and washing compounds, n.e.c., except rifle cleaning compounds. Specialty cleaning and washing some stains Leather dressings, oils, polishes, and stains Leather dressings, oils, polishes, and stains Logical compounds on the stains of the stains of stains and stains and for synthetic essential oils. Od frictious companies containing natural and/or synthetic essential oils and/or odorfferous chemicals of natural and synthetic origin for perfumery, n.e.c. Petit and preparations. Pignore extracts, natural and synthetic origin for perfumery in e.c. Petit nad preparations. Liforice extract and mass. Liforice extract and mass. Liforice extract and mass.
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Schedule B No.		969277	77599	77636-77641 77638-77670 77700-77771 77771 77771 77770 77770 77770 77770 77770 77795	S = = 56 FS
Commodity	Other industrial machines and parts—Continued Industrial manufacturing and service-industries machines, n.e.c., and specially fabricated manufacturing and service-industries machines, n.e.c., and specially fabricated parts, n.e.c., the following only: Abattoir equipment; boiler room specialty tools; broom-making machines; button covering machines; button machines; catted making machines; outly no evering machines; day guns; cleaning machines; ester lowering enteriors, for the manufacture of the mass of products; debatters; (abattoir); dishwashers, commercial; Dri-Air units; exhaust fume control units; fabr reduction machines, for the manufacture of fish meal for animal feet; fame arrestors; floor finishers, industrial-type; floor sanders, industrial type; floor scrubbing machines; floor surfacers; industrial type; floor scrubbing machines; one sanders, industrial and commercial; garbage grinders, industrial and commercial; garbage grinders, industrial and commercial; garbage grinders, industrial and commercial; parper grinders, industrial and commercial; parts grinder sincers; to saw and drill machines; combination type, engine driven; indinerators, industrial and commercial; pasts machines; machines; machines; machines; machines (age-to-product spapying); power sprayer-type cleaning outfilts; reels, hose and cable, power capityling; power sprayer-type cleaning outfilts; reels, hose and cable, power capityling; programs, charging apparatus, automatic choice.	lace tipping machines, staggerenouse manners, stance generators, except, minitary; stone products manuacturing machines; tank-cleaning machines; toolbrush manuacturing machines; tank-cleaning machines; toolbrush manuacturing machines; tool ecleaners, industrial type; vibrating paper joggers; vibrators, hydraulic; watch-cleaning paper joggers; vibrators, hydraulic; watch-cleaning machines; supper manuacturing machines. Abrasive circulators; abrasive coating machines; actops manuacturing machines. utilized; assembling fixtures, production, except those for production of military equipment; BRI (Basic Refractories injection) gives; battery making and ssembling machines; cutting machines for brick, tile, ceranics, and similar non-metallic materials, except powder cutting machines; interpreting interpreting interpreting machines for priors, tile, ceranics, and similar non-metallic materials, except powder cutting machines; interpreting coating and varapping machines for priors and varapping	machines to pipe and the state of the state	Sofies, n.e., c. and specially fibricated parts and accessories, n.e., c. and specially fibricated parts and accessories, n.e., c. and specially fibricated parts and accessories, n.e., c. stablers, office type. Stablers, office type. Dictating, transcribing and recording machines designed as office machines, and specially fabricated parts and accessories, n.e., of the handling machines, and specially fabricated parts and accessories, n.e., office machines, n.e., and specially fabricated parts and accessories, n.e., and specially fabricated parts and accessories, n.e., except adding machines, n.e., and specially fabricated parts and accessories, n.e., except adding machines, n.e., and specially fabricated parts and accessories, n.e., except adding machines; coverage machines; obtained in machines; or an expension machines; or according machines; or according machines; its ing adding machines; magnetic table for recording machines; pocket adding machines; packet adding machin	Printing and bookbinding apparatus: Typesclating machines, and specially fabricated parts and accessories, n.e.c. Printing presses, including decorability presses, and specially fabricated parts and accessories, n.e.c. Printing presses, including decorability fabricated parts and accessories, n.e.c., the following only: Embossers and embossing equipment. Embossers and embossing equipment, and parts. Tractors, n.e.c., parts and accessories; Wheel type tractors, new (other than contractors' and industrial types). Parts and accessories, n.e.c., specially fabricated for garden tractors and motor tillers (and parts and accessories, n.e.c., specially fabricated for garden tractors and conditioners and specially fabricated parts, n.e.c., for commercial automobiles, trucks and busses, except for assembly. Other vehicles and parts: Bicycles, and specially fabricated parts and accessories, n.e.c., Motorycles and specially fabricated parts and accessories, n.e.c.

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Schedule B No.	84010	. 84290	84290 84300 84311	r R	84380	84421	84459	85153-85200 85310 85310 87110-87700	90012 90015 90030	90080 80083 60083	06006	90280	91173-91174	91211-91245	91320 91340	91350	91400	91420-91438	91495	61499	der general lice General Licens
Commodity	Pigments, paints, varnishes and related materials: Iron oxide pigments, dry, synthetic and natural (mineral earth pigments) Plements, n.e., the following only:	Copper ore pigments; lead phosphate pigments; luminescent zine pigments, not radio- activated	Extender pigments, dry, as follows: barytes, ground; calcium sulfate; and gypsum, ground. Bituminous coatings, liquid and plastic, n.e.c. Arists colors	Water paints in pastle form Lacquers: aluminum, silver, gold, and paerl. Ready-mixed paints, stains, and enamels, n.e., except fluorescent ready-mixed paints, stains, and enamels; and example; stains, and enamels; and except antifolning types (including all those containing entrance related and those containing antipolations of the containing the	Cuprous Sarety, and cases Contamining Poly retraindrovelrylette (reg., remont, polytical futorechlored-ty-plene and sillicones. Variables (ioli or spirit), natural or synthetic, n.c., except antifouling types (finduding all those containing cuprous oxide) and those containing polytetrafluorechrylene	(e.g., Teflon), polytriffuorochlorocthylene, and silieones. Panks and related materials, n.e.c., the following only: Water paints, dry; and paste and semipaste paint colors in oil, putty and paste wood fillers, n.e.c. except antifouling types (including all those containing currons oxide)	and those containing polyterrafluoreethylens (e.g., Teflon), polytrifluoreehloro- tethylens and silkones.	Feruners and architest materials. Nitrogenous organic waterials. Phosphatic fertilizer materials. Prepared fertilizer materials, except potassium chloride. Prepared fertilizer mixtures.	Photographic and projection goods: Nama Motion-picture camers, except gun cameras and special purpose military cameras. Smm Motion-picture cameras, except gun cameras and special purpose military cameras. Hand-type, fixed focus still cameras. Cable releases, camera stands, carrying cases, flash synchronizers; lamp holders, and	parts and accessores, i.e.c., plectary parteaged 10f: 10mm motion-picture cameras, except gun cameras and special purpose military cameras; 8mm motion-picture cameras, and hand-type, fixed focus still cameras 'I farm Silient motion-picture projectors. Simm Motion-picture projectors, silient only	form ministure still picture projectors. Parts and a coessories, n.e.c., specially fabricated for 16mm and 8mm silent motion- nicture projectors.	Motion-picture studio equipment, n.e.c., and specially fabricated parts and accessories, n.e.c., the following only: developing, printing, fixing, or washing tanks or machines.	Monon-picture nim, unexposed: 16mm 8mm	Motion-pirture films, exposed, or exposed and developed, 1 except undeveloped negative film 35 mm, or over (Schedule B Nos 912n1 and 91245). Photographic processing and finishing equipment, professional and commercial (except	in motion-protuct of Lee, that specially fanciacus parts and accessores, n.e.c., that broton- ing only: Analyzers: cutting boards; developing equipment; halftone glass screens; photo baths, glass; photo blotters; photo scales (enlarger parts); print rollers; printing mask; shading machines. Photographic printis: Foto murals only. Photographic transparencies on film or glass, the following only: Kodachrome negative;	Acquathome transperencie; lattern slides; slide lim prints (slient only); still picture film, exposed or exposed and developed, positive or negative; View-Master film transparencies; and View-Master reels! Photographic and projection of socials, ne. e., and specially fabricated parts and accessories; ne. e. the following only: Albums; hackeround, photographic eartwing eases; devel	oping tongs; day mounting press; dry plates; flashing powder; hangers; magic landern parts; projector parts, still picture; screens; squeegees; still picture projector parts; View-Masters.	Scientific and professional instruments, apparatus and supplies, n.e.c.: Sun glasses, sun goggles, ophthalmic spectacles, ophthalmic lenses, and specially fabricated parts and accessories, n.e.c. Binoculars	Microscopes, n.e.c., and specially fabricated parts and accessories, n.e.c., the following only: malaria survey sets containing microscopes; micro cover glasses, microscope illuminatore; microscope silva boxes; and microscope silva.	Optical goods, n.e.c., and specially fibricated parts and accessories, n.e.c., the following only: bincoular cases; bincoular loupes; exses for opera glasses; folding magnifiers; magnifying glasses; monoculars; speciacle cases of all materials; and stereoscopes.	¹ Motion-picture film containing technical data, as defined in §385.1, is not exportable under general licenses GHK or GLSA unless the technical data is exportable to Hong Kong or Macso under either General Licenses GTDP, or GTDS, or to a Subgroup A country under General Licenses GTDP or GTDS.
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Schedule B No.						82999	08080	83070 83151 83159		83228		83590		83795 83795	83979	·		83979			83390
Oommodity	Chemical specialists—Continued Alumium stearche solution for waterproofing masonry; brewers' finings; brewers' tank continue compound: calcium choride and salt compound; ceramic printing naste; chem-	is for manufacturing toe cream; chill proofing compounds; clear and radidas; clarifier, for beer or ale; clarifying powder for wines, concrete	prere plasticizer compounds; concrete waterproofing compound; de- al, solidified; Diolo loste (rubber thread lubricating compound); dough thing compounds; fluorescent powder, daylight (magnesium sulfate and ngstate); glycerol stearate (emulsifying agent); hat finishing powder;	indicating paste, industrial enzymes; unk conditioners; ink evadicators; ink thinners, for cellophane printing; laundry sour; leather binding compounds; lipstick bases; lipstick waxes; marble polish; meat curing compounds; metallic hardeners for cement floors; model airphane engine fuels; paper-constang paste; picking in hibtiors; plant hormoner, and the model of the plant plant hormoner, and the plant plant hormoner collutions.	an nquata no teoriatung mitta and gensay plantaman plantang somewins compound; rosh risk, saturating compounds, supilar bases, screening any and minor plant untrinels, n.e.d., shark deferencis, sharking creen raked; shelles cubstitutes; alk-stocking savers, in tablet form; silver to the compound of th	liquids for decorating china and glass; soil conditioners, synthetic; talc paste; and white campluo oils. Buffing compounds, chemical; iron oxide suspension (spirit dispersion); metal patch alloy: metal patch soir expension alloy: metal patch soir expension and social patch soir metal and sodium problemate (bread-making compounds).	Industrial chemicals (exclusive of medicinal chemicals, U.S.P. and N.F.): Organic acids and anhydrides, newboundary only: A,B-dibromopropionic acid; adenylle	actor, campurot corn unfaite acid Ethyl alcohol. Alcohols, n.e., the following only: discetone alcohol. Organic chemicals, except cyclic, the following only: orn protein denaturant; crotonal-dehyde; cyanacetamide; diethyl malonate; dimethyl glyoxime; dipentaerythiftol	acettar dipontalerythitol heraptopionate; dipontalerythrich herapturate; ethyl butyrate; ethyl chloride; ethyl chloroacetate; ethyl chloroacetomate; ethyl formate butyrate; ethyl chloroacetate; ethyl formate; ethyl hydrogen sulfate; ethyl factate; ethyl majonate; ethyl merceptam; glutarontirlie; glyceryl monosteantie; methyl glutamate; methyl hydroxy acetate (methyl glycolate); methylloyloxy acetate (methyl glycolate); methylloxy acetate; monopenite; monopenitecryth	the discretate unusyrate, indusponately junion carabouryate, perhapsional carabouryate, perhapsional carabouryate, perhapsional carabouryate, perhapsional phosphate. Aluminum compounds, the following only: alum, crystallized, aluminum fluoride; aluminum fluor	tassirm aluminum sullate; soda alum; sodium alum; sodium aluminate; and sodium aluminum sulfate. Apascim compounds, except fertilizers, the following only:	ar (synthetic included) sia carbonate; potassium arsentie; potassium	otassitum meta-bisuines, potassitum puospitate, montoasue, potassitum assitum sulfate; potassitum sulfide; and rochelle salts	Sodium blearbonate or baking soda. Sodium sulfate. Sodium compounds, n.e.c., the following only; sodium allyl arsenate; sodium ammonium	prospinate, southin ascenate, southin thintine, southin thintine, southin the prospinate, southin the solition social solition assenties and solition thiosulfate. Hydrogen peroxide or dioxide, 5 percent solution or less. Metal salts of organic compounds, except paint and varial affects, the following only: aluminum sectate; aluminum dibydroxyaminoscetate; aluminum formate solutions; aluminum lisopropylate; aluminum lactate; aluminum octonics.	armonium oxalete, ammonium aginate, ammonium nisatrate, ammonium ammonium aginate, ead- eadmium oxalete, admium salicylate; calcium acetate, calcium formate, eadmium octoste; cadmium salicylate; calcium acetate, calcium formate, ale, except paint and varmiah dryers; calcium tarrate; chlorophyll, dry; allution (in oll); fron protoxalate; iron sodium oxalate; magnesium oxy-	tte, manganess acetate; phenyl mercury acetate; potassium acetate; portrate; potassium oxalate; potassium oxichinolin sulfonate; potassium lium bitartrate (acid sodium tatrate); sodium formate; sodium galtoonium tatrates (acid sodium tatrates).	helaylase; sould oxable; sould possession sate are; sould savey tearle; tarter emetle; into accepte; and zinc stearls. Tearles, n.e., the following only; cadmium sulfate; calcium oxide; calcium oldum sulfate; calcium salts;	; ferrous carbonate; ferrous chloride; ferrous utilate; iron chloride; iron chospbate; iron chospbate; iron sulfate; iron sulfate; iron sulfate; granular; kieserite, natural; lead bi-sulfate; iline phospbate; magnesium arsenide; magnesium phospbate;	ntace, ny travet, inglestim structe, by et piratet, inglessum surver, neglessum surver agreement structur sulfate, nagnestim frisilieste; monosileium phosphate, steept as coaleium sulphate; palladium chloride; palladium salits and compounds;	silver chlorides; silver cyanide, industrial; silver nitrate; silver sulfate, silver sulfate, solumniate; silven munimate; silven powder, precipitated, U.S.P. or C.P. (axcept in small packages); anc earbonate; rine cyanide; zine hydrosulfite; zine nitrate; zine peroxide; zine phosphate; and zine sulfate, except as fertilizer

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Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[32A CFR Ch. X]

[Oil Import Reg. 1 (Rev. 1)]

ALLOCATIONS OF CRUDE OIL AND UNFINISHED OILS

Notice of Proposed Rule Making

There was published in the FEDERAL REGISTER of May 10, 1960 (25 F.R. 4137) a notice and text of proposed amendments to Oil Import Regulation 1 (Revision 1) prescribing regulations governing the allocations of imports of crude oil and unfinished oils into Districts I-IV and District V. The proposed amendments provided that, for the purpose of computing allocations based on the last allocation of crude oil under the Voluntary Oil Import Program, the latter would be reduced by the average barrels per day of such crude oils imported by overland means from the country of origin during the period from September 1, 1958, through March 10, 1959.

As a result of comments received, it has been determined, after careful review, that the objectives of the oil import program would not be advanced at this time by the adoption of the proposed change but that on the other hand, such a change would most probably be inimical to the stimulation of domestic production and exploration activities, particularly in North Dakota, and to a lesser extent, in Montana and South Dakota.

ELMER F. BENNETT. Under Secretary of the Interior.

MAY 20, 1960.

[F.R. Doc. 60-4717; Filed, May 24, 1960; 8:49 a.m.1

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service [7 CFR Parts 975, 995]

[Docket Nos. AO-179-A19 and AO-197-A6]

MILK IN NORTH CENTRAL OHIO AND NORTHEASTERN OHIO MARKET-ING AREAS

Recommended Decision and Opportunity To File Written Exceptions to Proposed Amendments to Tentative Marketing Agreements and to

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937. as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of

marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to proposed amendments to the tentative marketing agreements, and orders regulating the handling of milk in the North Central Ohio and Northeastern Ohio marketing areas. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C., not later than the close of business the 15th day after publication of this decision in the FEDERAL Register. The exceptions should be filed in quintuplicate.

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order, were formulated, was conducted at Mansfield, Ohio, on March 29, 1960, pursuant to notice thereof which was issued March 9, 1960 (25 F.R. 2106).

The material issues on the record of the hearing relate to:

1. The supply-demand adjustment of the Class I price:

2. The Class II milk price and the need for emergency action with respect thereto:

3. The rules for regulation of plants doing business in other marketing areas;

The quota forming months; 5. Expansion of the marketing area:

6. The shrinkage allowance on bulk

tank deliveries.

Issue number 2 was decided by the Assistant Secretary in his decision of April 12, 1960 (25 F.R. 3337), and this decision is restricted to the remaining

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record

1. The supply-demand adjustment of the Class I price. The supply-sales relationship used as a basis for adjustment of the Class I price should be that of the combined receipts and sales of the North Central Ohio and Northeastern Ohio markets. The standard utilization percentages, deviations from which result in price adjustments, should be revised to reflect the changed seasonal patterns of utilization and the level of reserve supply required by present marketing practices.

The North Central Ohio Class I price is now maintained in a fixed alignment with that of Northeastern Ohio and it is concluded that such alignment should be maintained. North Central Ohio handlers make substantial route sales in the Northeastern Ohlo marketing area.

While Northeastern Ohio handlers do not have any substantial amount of route sales in the North Central Ohio marketing area, they do supply the North Central Ohio handlers with supplemental milk in many months. The North Central Ohio procurement area lies entirely within the procurement area of the Northeastern Ohio market and producers can readily shift from one area to the other. Presently supplies of milk associated with the Northeastern Ohio pool and sales by handlers regulated under the Northeastern Ohio order determine the supply-demand adjustment of the Class I price for both orders. Intermarket competition for supplies or sales may readily affect the Class I price in both markets without any change in the overall supply or sales volumes merely by transfer of supply or sales from one market to the other. A number of handlers operating multiple plants have plants regulated under each order. The decision of such a handler to transfer sales from one of his plants to another can affect the Class I price in both markets. Since the competition is such as to require fixed alignment of Class I prices, it is appropriate that the ratio of total producer receipts to gross Class I sales should be the basis for adjustment of Class I prices to supplydemand conditions in both orders.

The inclusion of the receipts and sales of the North Central Ohio area in the computation of the supply-demand adjustment for the Northeastern Ohio order requires an adjustment in the annual level and the seasonal pattern of the standard utilization percentages. The addition of the North Central Ohio receipts and sales in the computation of the Northeastern Ohio supply-demand adjustor would have decreased the annual level of the ratio of supply to sales from 139 to 136 in both 1958 and 1959 which would have increased the Class I price in both markets. Milk supplies in the area have increased faster than Class I sales. The northeastern Ohio supplies were 132 percent of sales in 1957. 139.2 in 1958 and 139.7 in 1959. supplies of milk have been ample too for the North Central Ohio area. Under these circumstances an increase in the annual average of the Class I price is not appropriate under the standards of the Act. Therefore, the annual average of the standard utilization percentages should be reduced from 132 to 129. This reduction of the annual average will approximately reflect the change in the utilization percentages caused by the addition of the North Central Ohio receipts and sales. The seasonal pattern also has been slightly modified to reflect the pattern of utilization of the combined markets. The following table shows the present and revised standard utilization percentages:

	Present standard	Revised standard
January February March April May June July August September October November December	128 128 128 129 130 140 148 141 127 126 128 130	125 126 126 127 128 137 145 138 124 122 122

It was proposed that the North Central Ohio Class I price be further adjusted by the average adjustment of the supplydemand adjustment of the Columbus, Ohio, and Dayton-Springfield, Ohio, markets or that the North Central Ohio order provide for an independent supply-These proposals demand adjustor. would disrupt the fixed alignment of the Class I prices between the Northeastern Ohio and North Central Ohio markets which is essential in maintaining orderly marketing conditions. Therefore, any adjustment to the North Central Ohio Class I price which would not maintain the fixed alignment between the markets is denied.

3. Regulation of plants doing business in other marketing areas. Provision should be included that the Secretary, by a determination, may retain under regulation of the North Central Ohio order a plant disposing of a greater volume of fluid milk products in the marketing area of another order than in the North Central Ohio area.

The order presently requires that any plant which would be subject to regulation under another order be exempt (except for reporting) from the North Central Ohio order unless such plant has disposed of more fluid milk products in the North Central Ohio area than in the area of the other order in the current month and each of the three preceding months.

The North Central Ohio marketing area is comprised of five political subdivisions which are geographically separated. The marketing area includes only territory in which Grade A milk ordinances are in effect. As a consequence there is considerable intervening territory not included in the marketing area, but in which certain regulated handlers do a substantial proportion of their business.

One plant now regulated under the North Central Ohio order has substantial disposition of fluid milk products in the Northeastern Ohio marketing area. Prior to January 1959 this plant was regulated under Order 75 (then applicable to the Cleveland, Ohio, marketing area) as a supply plant. It was proposed that this plant be permitted to credit to its sales in the North Central Ohio area substantial dock sales to vendors who operate routes in the adjacent area not included in the marketing area so that its identity with the North Central Ohio area might be maintained.

A simple method of handling the matter is to provide that regulation of plants doing business in other marketing areas be as presently provided unless the Secretary determines that the applicable order should more appropriately be determined on some other basis. A provision to this effect is included in the Northeastern Ohio order. It provides greater opportunity for review of the circumstances in individual cases than would otherwise be provided. It is concluded that such a provision should be included in this order.

Issues 4 through 6 relate to amendments to the North Central Ohio order only.

4. The quota forming months should be advanced one month to September through November.

Handlers proposed that the quota forming months should be August or September through November rather than October through December.

A review of the order data shows that in 1957 September was the second shortest month of production in relation to Class I sales (November was 95.1 percent and September was 94.1 percent). In 1958 and 1959 September has been the shortest in relationship to sales. general upward trend in production during this period makes the shortest months appear somewhat earlier than seasonal influences alone would account for. However, it is plain that producers have responded to the incentive of the quota plan and that at least one month earlier quota forming period should be adopted in order to encourage larger production in September and less in December. August should not be included as a quota forming month because the relationship of producer receipts to Class I sales during this month have been adequate.

The importance of advance planning by producers in conforming to the seasonal incentives provided by the quota plan should be recognized. Accordingly, the use of September through November as quota forming months should be delayed until September 1, 1961.

5. Expansion of the marketing area. The marketing area should be expanded to include the Marion Correctional Institution at Marion, Ohio.

The present marketing area is defined to include all the territory in the counties of Allen and Richland and the cities of Findlay, Marion and Tiffin. It was proposed that the Marion Correctional Institute, located just outside the city limits of Marion, Ohio, be included in the marketing area.

This institution is under the direction of the Department of Mental Hygiene and Correction of the State of Ohio which requires that the fluid milk products that it purchases must be from Grade A sources. The present marketing area is covered by health regulations patterned after the U.S. Public Health Services Code for Grade A milk. The health requirements that cover the Marion Correctional Institute are the same as those that now apply throughout the marketing area.

The Marion Correctional Institute presently purchases its supply of milk on contracts awarded for a period of three months. In the past year North Cen-

tral Ohio handlers have held the contract for six months. The other six months the contract was awarded to handlers regulated under the Columbus, Ohio, order. Prior to the past year North Central Ohio handlers served the institution in nearly all months.

In view of the health requirements of the Marion Correctional Institute, its location adjacent to a city of the marketing area, and the past history of sales by regulated handlers it is concluded that the North Central Ohio marketing area should be expanded to include the Marion Correctional Institute. Such action will prevent loss of sales historically associated with the market to handlers not subject to regulation of any order.

6. The shrinkage allowance on bulk tank deliveries. There should be no increase in the present shrinkage allowance for plants having all their milk supplies delivered in bulk tank trucks.

It was proposed that plants having their entire receipts of producer milk delivered by bulk tank trucks should have a shrinkage allowance of three percent. The present order provides for a two percent shrinkage allowance to all plants.

Handlers proposed the increase in the shrinkage allowance because there is sometimes a difference between the stick measurement at the farm and the actual weight of the milk taken in at the plant. However, the regulated plants under the North Central Ohio order receiving all their milk in bulk have not experienced more shrinkage on the average than plants receiving their milk in cans or in a combination of cans and bulk. In 1959 plants receiving their milk supplies in bulk experienced an average shrinkage of 1.42 percent of skim milk and 2.36 percent of butterfat; plants receiving their entire supply in cans had a shrinkage of 1.25 percent of skim milk and 2.41 percent of butterfat, and plants receiving both can and bulk milk experienced shrinkage of 1.41 percent of skim milk and 1.25 percent of butterfat. market showed an average of a 1.37 percent loss on skim milk and 2.09 percent loss on butterfat during 1959. Past market experience has shown that the two percent allowance now provided in the order is appropriate. Therefore, it is concluded that the proposed increase in the shrinkage allowance should be denied.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties in the market. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of

the aforesaid orders and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreements and the orders, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act:

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the orders, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following orders amending the orders regulating the handling of milk in the North Central Ohio and Northeastern Ohio marketing areas are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreements are not included in this decision because the regulatory provisions thereof would be the same as those contained in the orders as hereby proposed to be amended:

§ 975.51 [Amendment]

Amendment with respect to the Northeastern Ohio Marketing Area. 1. Delete § 975.51(a) (1) and (2) and substitute therefor the following:

(1) Divide the total quantity of milk received from producers defined in § 975.10 and in § 995.12 of the order regulating the handling of milk in the North Central Ohio marketing area during the first and second months preceding by the gross quantity of milk utilized as Class I (adjusted for intermarket and interhandler transfers) at pool plants defined in § 975.8 and in § 995.9 of the order regulating the handling of milk in the North Central Ohio marketing area, in the same two months, multiply the result by 100, and round to the nearest whole number. The result shall be known as the "current utilization percentage".

(2) Compute a "deviation percentage" by subtracting from the current utilization percentage as computed in subparagraph (1) of this paragraph, the "standard utilization percentage" shown below:

	Standard ·	
Month for which the price	utilization	
is being computed:	percentage	
January	125	
February	125	
March	126	
April	127	
May	128	
June		
July	145	
August	138	
September	124	
October	122	
November	124	
December	126	

Amendments with respect to the North Central Ohio marketing area. 1. Delete § 995.5 and substitute therefor the following:

§ 995.5 North Central Ohio marketing area.

"North Central Ohio marketing area" hereinafter referred to as "marketing area" means all the territory within the corporate limits of the cities of Findlay, Marion and Tiffin, and territory within the boundaries of the counties of Allen and Richland and the Marion Correctional Institution all in the State of Ohio.

§ 995.64 [Amendment]

- 2. In § 995.64 delete the phrase "October through December" and substitute therefor "September through November" (to be made effective on September 1, 1961).
- 3. Delete § 995.80 and substitute therefor the following:

§ 995.80 Plants subject to other Federal orders.

The provisions of this part except §§ 995.30, 995.31, 995.32, and 995.33 shall not apply to a distributing plant or a supply plant during any month in which the milk at such plant would be subject to the classification and pricing provisions of another order issued pursuant to the Act, unless such plant qualified as a pool plant pursuant to § 995.9 and a greater volume of fluid milk products is disposed of from such plant to retail or wholesale outlets and to pool plants in the North Central Ohio marketing area than in the marketing area regulated pursuant to such other order during the current month and each of the three months immediately preceding, unless the Secretary determines that the applicable order should more appropriately be determined on some other basis.

Issued at Washington, D.C., this 20th day of May 1960.

ROY W. LENNARTSON, Deputy Administrator.

[F.R. Doc. 60-4701; Filed, May 24, 1960; 8:47 a.m.]

[7 CFR Part 1011]

[Docket No. AO-299-A1]

MILK IN MICHIGAN UPPER PENIN-SULA MARKETING AREA

Recommended Decision and Opportunity To File Written Exceptions to Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to proposed amendments to the tentative marketing agreement, and order regulating the handling of milk in the Michigan Upper Peninsula marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C., not later than the close of business the 7th day after publication of this decision in the Fep-ERAL REGISTER. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order, were formulated, was conducted at Marinette, Wisconsin, on March 7-9, 1960, pursuant to notice thereof which was issued February 17, 1960 (25 F.R. 1521).

At this hearing, evidence was received with respect to proposed amendments to the order regulating the handling of milk in the Northeastern Wisconsin marketing area as well as the Michigan Upper Peninsula marketing area. This decision will be restricted to issues relating to amendments proposed to the order for the Michigan Upper Peninsula marketing area. Issues relating to amendments proposed to the order for the Northeastern Wisconsin marketing area will be considered in a separate decision.

With respect to the Michigan Upper Peninsula order the issues on the record of hearing relate to:

- 1. Expansion of the marketing area;
- 2. The Class I milk price;
- 3. Pooling; and
- 4. Allocation of receipts of milk in packaged form priced under another order.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. Marketing area. Menominee County, Michigan, and the town of

Peshtigo and the cities of Marinette and Peshtigo in Marinette County, Wisconsin, should be added to the Michigan Upper Peninsula marketing area.

The Michigan Upper Peninsula marketing area presently includes all territory in the upper peninsula of Michigan except Menominee County together with certain territory in Marinette, Florence and Iron Counties, Wisconsin. The city of Menominee, in Menominee County, is the only area in Michigan included in the marketing area of the Northeastern Wisconsin order. The nearby cities of Menominee and Peshtigo and the town (township) of Peshtigo in Marinette County, Wisconsin, likewise are included in the Northeastern Wisconsin marketing area.

The notice of hearing contained proposals to (1) delete the city of Menominee from the Northeastern Wisconsin marketing area and to add all of Menominee County to the Michigan Upper Peninsula marketing area, and (2) to include all of Menominee County, Michigan, and Marinette County, Wisconsin, in the Northeastern Wisconsin marketing area.

At the hearing the proponent of the proposal to expand the Northeastern Wisconsin marketing area to include all of Menominee and Marinette Counties offered no evidence in support of this proposal. It is clear that the cities of Menominee, Marinette and Peshtigo should be included in the same marketing area. Two plants in Menominee and one in Marinette each sell throughout these cities. Another plant that previously processed milk in Marinette has discontinued receiving and processing milk, but distributes milk regulated under the Northeastern Wisconsin order that is received and processed at a plant in Algoma, Wisconsin. Milk is also distributed in Menominee, Marinette and Peshtigo by at least two other handlers regulated under the Northeastern Wisconsin order and by one Milwaukee handler. The Menominee plants each have sales in the present Upper Peninsula marketing area. One small handler presently confines his distribution to portions of Menominee County outside the city limits of Menominee and would be brought under regulation by the proposal to include the entire county in a

regulated area. The three plants located in Menominee and Marinette are the only plants whose regulation would be changed from the Northeastern Wisconsin order to the Michigan Upper Peninsula order if these cities were transferred from one marketing area to another. Forty-two producers supply these plants, thirty-one with farms located in Michigan supply the two Menominee plants and eleven whose farms are in Wisconsin deliver to the Marinette plant. A producer organization representing a number of these Michigan producers supported the proposed transfer of area from Order No. 116 to Order No. 111 on the basis that the economic interests of these producers are more nearly allied with other producers in Michigan than those in Wisconsin and that under the handler pooling provisions of Order No. 111 they

would receive better blend prices. Producers supplying one Menominee handler and the Marinette handler would have averaged higher prices on the basis of such handlers' utilizations but the producers supplying the third handler would have averaged lower prices. Substantially all the producers who are members of the cooperative association deliver to this third handler.

Despite the lack of specific proposals that any Wisconsin territory be changed to Order No. 111, affected parties appeared and offered testimony. The position of Menominee and Marinette dealers was that the local area should be considered a single unit regardless of the order to be effective for such area. No objection on the basis of lack of notice was offered to testimony that the cities of Marinette and Peshtigo should be included in the marketing area of Order No. 111 together with Menominee County, Michigan. While the average Class I utilization of the plants presently regulated under Order No. 116 is slightly higher than the average of that market, the volume is such that the resulting effect on the average blend price of the order is not significant. Northeastern Wisconsin producers offered no opposition to the proposed change in the regulation effective for the Menominee-Marinette area.

If present price alignments are maintained there appears to be no substantial economic reason why regulation under Order No. 111 should not apply to all this territory. In view of the expressed desire of the producers involved it is concluded that the area in Marinette and Menominee Counties now in the Order No. 116 marketing area should be included in the Order No. 111 marketing area and that the remaining portion of Menominee County should likewise be included in the Order No. 111 marketing area. In a companion decision it is concluded that the Order No. 116 marketing area should be revised to permit this change.

It was proposed that the territory added be included in Zone I of the marketing area for pricing purposes, which would have increased the Class I price at plants in the area affected. In view of geographic location the present alignment of prices with competing plants under both orders should be maintained. This can be achieved by providing a sub-Zone I(a) at a price ten cents less than that in the present Zone I of Order No. 111 to be applicable in the area presently in the Order No. 116 area and three nearby townships in Menominee County.

2. Class I price. The present Class I pricing provisions should be continued for another 18-month period, with provision for a sub-Zone I(a) price ten cents less than that for the present Zone I.

Since the effective date of the order Class I price differentials added to a basic formula price have been at an annual average of 96.7 cents for Zone I comprising five Michigan counties and the Wisconsin portion of the marketing area. For the remainder of the area the Class I price differentials have been 20 cents higher or an average of \$1.167. These average differentials have resulted from monthly differentials of \$0.75 (Zone

I) and \$0.95 (Zone II) for March through June; \$1.15 and \$1.35 July through November; and \$0.95 and \$1.15 December through February. The effectiveness of this pricing method was limited to the first 18 months of order operation to provide opportunity for review in the light of experience.

Producers proposed that these differentials each be increased 20 cents in all months. In support thereof they cited rising costs of production and emergency feed conditions that have prevailed during the past winter. They also claimed that premiums equal to or in excess of the increase requested have been in effect throughout major portions of the market without oversupplying the market.

Handlers proposed that the Class I price provisions for the entire area be those which have been in effect for Zone I, and that some means be provided to make the area price effective on sales by outside plants whether regulated by another order or not.

The order became effective for pricing purposes December 1, 1958. The record showed data with respect to receipts. sales and prices through January 1960. In order that comparisons with a year ago may be made for a three month period, official notice is taken of similar data released by the market administrator for February 1960. Producers re-ceipts in the period December 1959 through February 1960 were 100.2 percent of those in the same months a year earlier. Class I sales of regulated plants in these months were 99.7 percent of those in the first three months of order operation. While monthly comparisons show somewhat greater variation, it is evident that there has been no substantial change in production or Class I sales during this period.

There is no substantial basis for reducing or eliminating the 20-cent price differential between zones. Producer receipts and Class I sales allocated to such receipts at Zone II plants have increased slightly in the past year while receipts and utilization of Zone I plants have decreased slightly. The price differential is needed to allocate supplies to the areas where needed for Class I

In a companion decision on this record it is concluded that no substantial change should be made at this time in the Class I pricing provisions of the order for the Northeastern Wisconsin area on the basis of this record. Substantial volumes of milk are distributed throughout the Michigan Upper Peninsula marketing area by handlers subject to that order. While the limited data available indicate that Class I sales of Order No. 111 handlers have been maintained during the past year at a time when premiums were being paid by many such handlers, this is not sufficient basis to increase at this time the difference between the required minimum prices of the two orders. There is no evidence that these differences are not appropriate to reflect costs of transporting milk in this area. Neither is there any basis to eliminate the difference with respect to Northeastern Wisconsin or

other order milk disposed of in the Upper Peninsula area, as requested by handlers.

It is therefore concluded that price alignment between the orders should be maintained at present levels for an additional 18-month period by extension of the present pricing provisions with modification for a Zone I(a) price to apply in the town of Peshtigo and the cities of Peshtigo and Marinette in Marinette County, Wisconsin and the city of Menominee and townships of Menominee, Mellen and Ingallston in Menominee County, Michigan, at ten cents per hundredweight less than the Zone I price. The Zone I price will apply in the remainder of Menominee County.

3. Pooling. The type of pooling under the order should not be changed from the present handler pools to a marketwide pool. Neither should provision be made to permit allocation of Class I utilization from distribution plants to supply plants without movement of milk.

The operator of a plant which in several months has been regulated as a supply plant proposed that marketwide pooling be adopted. It was urged that the milk of the 27 producers supplying this plant is required for short season needs of the market but that handler pooling provides no Class I utilization to the plant in summer months.

The geographic distribution of production and population in the Upper Peninsula marketing area makes handler pooling more practicable and equitable than a marketwide pool. The bargaining-type cooperative association supplying the principal distribution plants of the area assures cooperating dealers a supply of milk. This association has four separate producer locals each of which supplies handlers in Sault Ste. Marie, Marquette, Ironwood and Menominee-Iron Mountain, respectively, and operates local association pools in three of these areas, but does not combine the local pools into an association pool. Other cooperative associations process and distribute milk of their Milk supplies cannot be members. readily moved from all producers' farms to plants in all parts of the marketing area. Packaged milk is, however, sold over wide areas by a number of plants.

No producer or cooperative associations supported the proposal for market-wide pooling, and opposition was expressed by the dominant bargaining cooperative and two plant-operating cooperatives. The proposal should not be adopted on the basis of this record.

The same handler also proposed, as an alternative to marketwide pooling, that the order provide that Class I utilization of a distribution plant could be allocated to a supply plant in the months of February through July in amounts commensurate with shipments received from such plant in the preceding months of August through November. Such a proposal might have applicability to a condition where a supply plant had been depended upon regularly to supply substantial short season volumes to a given plant or plants under long term arrangements. No such situation was shown here however. The shipments shown appear to be in the nature of spot shipments. This record does not justify inclusion of the "pass back" or "associate plant" provision proposed.

While the notice of hearing contained a proposal to define "associate producer" and provide means whereby persons so defined might share in Class I utilization of handlers who had discontinued receiving their milk, no evidence was offered in support of this proposal. Its adoption is therefore denied.

4. Provision should be made to deduct from a handler's Class I utilization receipts of fluid milk products processed and packaged in consumer packages priced under another Federal order if the handler does not process and package the item in his fluid milk plant during the month.

Some small handlers without paper packaging facilities in their plants distribute milk processed and packaged in paper cartons in a plant regulated under the Northeastern Wisconsin order. At the same time these Upper Peninsula handlers continue to process and package milk in glass containers. Under present provisions of the order producers delivering to the handler receive credit for all his Class I sales up to the volume of their deliveries. This results in the possibility that both Order No. 111 producers and Order No. 116 producers are paid the Class I price for the same sales.

In view of the extensive distribution of Order No. 116 milk through vendors who receive no milk from producers, there does not appear to be any equitable basis to require that under the circumstances described Class I sales be allocated to local producers if the product or package be one not produced in the regulated plant. Provision should be made to deduct from Class I disposition to be allocated to producers such receipts of fluid milk products disposed of in the original package.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties in the market. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and

other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order regulating the handling of milk in the Michigan Upper Peninsula marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

Amend § 1011.5 to read as follows: § 1011.5 Michigan Upper Peninsula marketing area.

(a) "Michigan Upper Peninsula marketing area" (hereinafter referred to as the "marketing area") means all the territory including all municipal corporations within the zones described below in this section.

(b) "Zone 1(a)": The city of Menominee and the townships of Menominee, Mellen and Ingallston, in Menominee, County, Michigan; the town of Peshtigo and the cities of Marinette and Peshtigo in Marinette County, Wisconsin;

(c) "Zone 1": Counties of Delta, Dickinson, Gogebic, Iron, Ontonagon and all territory in Menominee County not included in Zone 1(a), all in the State of Michigan; the town of Niagara and the village of Niagara, in Marinette County; the towns of Aurora and Florence, in Florence County, and the towns of Carey, Kimball, Oma, Pence, Saxon and the cities of Hurley and Montreal in Iron County, all in the State of Wisconsin; (d) "Zone 2": Counties of Alger,

(d) "Zone 2": Counties of Alger, Baraga, Chippewa, Houghton, Keweenaw, Luce, Mackinac, Marquette and Schoolcraft, all in the State of Michigan.

§ 1011.46 [Amendment]

2. Amend § 1011.46(c) to read as follows:

- (c) Subtract from the pounds of butterfat remaining in each class the pounds of butterfat in other source milk received during the month in the form of fluid milk products from a plant subject to another marketing agreement or order issued pursuant to the Act as follows:
- (1) From Class I, the pounds of such butterfat received in a consumer-packaged form not so packaged in the plant during the month, and disposed of without further processing or packaging; and

- (2) In series beginning with the lowest priced utilization, the remaining pounds of such butterfat;
- 3. Amend § 1011.51 to read as follows: § 1011.51 Class I milk price.

Through November 1961, subject to the provisions of § 1011.54, the minimum price to be paid by each handler for milk received at his fluid milk plant from producers or the fluid milk plant of a cooperative association during the month and utilized as Class I milk shall be the basic formula price for the preceding month, plus the applicable amounts specified below for the marketing area zone in which such plant is located. For plants located outside the marketing area and west of Lake Michigan the price (subject to § 1011.55) shall be that specified for Zone 1. For plants located outside the marketing area and east of Lake Michigan the price (subject to § 1011.55) shall be that specified for Zone 2.

Zone	Months of	Months of	Months of
	Mar. through	Jan., Feb.,	July through
	June	and Dec.	Nov.
1(a)	\$0.65	\$0.85	\$1.05
1	.75	,95	1.15
2	.95	1.15	1.35

Issued at Washington, D.C., this 20th day of May 1960.

Roy W. Lennartson, Deputy Administrator.

[F.R. Doc. 60-4700; Filed, May 24, 1960; 8:47 a.m.]

[7 CFR Part 1016]

[Docket No. AO-299-A1]

MILK IN NORTHEASTERN WIS-CONSIN MARKETING AREA

Recommended Decision and Opportunity To File Written Exceptions to Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to proposed amendments to the tentative marketing agreement, and order regulating the handling of milk in the Northeastern Wisconsin marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk. United States Department of Agriculture, Washington, D.C., not later than the close of business the 10th day after publication of this decision in the Feb-ERAL REGISTER. The exceptions should be filed in quadruplicate.

The hearing, on the record of which the proposed amendments, as herein-

after set forth, to the tentative marketing agreement and to the order were formulated, was conducted at Marinette, Wisconsin, on March 7-9, 1960, pursuant to notice thereof issued February 17, 1960 (25 F.R. 1521).

At this hearing, evidence was received with respect to proposed amendments to the order regulating the handling of milk in the Michigan Upper Peninsula as well as to the order for the Northeastern Wisconsin marketing area. This decision will be restricted to issues relating to amendments proposed to the order for the Northeastern Wisconsin marketing area. Issues relating to amendments proposed to the order for the Michigan Upper Peninsula marketing area will be considered in a separate decision.

The material issues in the record of the hearing which concern the Northeastern Wisconsin order relate to:

- Revision of marketing area boundaries.
- 2. The level of, and method of computing, the price for Class I milk.
 3. Revision of the Class III price
- formula.
 4. Modification of the class butterfat
- differentials.

 5. Conditions for the diversion of milk
- to nonpool plants.

 6. Revision of the classification and al-
- location provisions of the order.
 7. Changes in the basis for qualifying
- 7. Changes in the basis for qualifying supply plants as pool plants.
- 8. Extension to supply plants of the "Wichita plan" as an alternative to compensatory payments on nonpool milk.
- 9. Modification of the base-excess
- 10. Provision of more than one reporting and accounting period per month on election of the handler.

Several proposed amendments to the Northeastern Wisconsin order, including a proposal for "individual-handler pools", contained in the notice of hearing were not supported at the hearing by the respective proponents, and in each instance testimony in support of such proposals was not offered by any other interested party. Such proposed amendments therefore are denied.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

(1) The Northeastern Wisconsin marketing area should be expanded to include Forest County, and that part of Oconto County (exclusive of the Menominee Indian Reservation) not now included in the area.

Expansion of the marketing area to the named territory was proposed by a handler who operates a supply plant. One of the distributing pool plants to which milk is shipped from proponent's supply plant is located in Forest County and another is located in Oconto County. Both such distributing plants are furnished a full supply from this supply plant. A substantial proportion of the Class I sales made from such distributing plants is sold in areas presently unregulated although there is substantial competition with milk bottled at other regulated distributing plants. Either of these distributing plants could lose pool

status, however, since the percentages of Class I sales therefrom to the marketing area are close to the minimum required for pool status. In such event the supply plant would lose pool status also, and shipments from the supply plant to pool distributing plants would fall in the category of other source milk. In the circumstances, the loss of pool status by the supply plant, resulting in the application of compensatory payments at distributing plants which obtain their full supplies from such plant would not tend to promote orderly marketing conditions. The marketing area should be expanded to insure uniformity of pricing among competing plant operators.

It may be noted further that expansion of the area to include Forest County and the remainder of Oconto County will not bring under regulation any plants which are not regulated currently. No testimony was presented in opposition to the proposed expansion. It is concluded that the marketing area should be so enlarged.

At the hearing testimony was offered on other proposals to modify the marketing area. These proposals related to a proposed shift of territory from the Northeastern Wisconsin marketing area to the Michigan Upper Peninsula marketing area. The conclusions reached with respect to such proposals are set forth in detail in companion decision on this record relating to proposed amendments to the Michigan Upper Peninsula order. To accommodate the conclusions therein that the city of Menominee in Menominee County, Michigan, and the town of Peshtigo and the cities of Marinette and Peshtigo in Marinette County, Wisconsin, should be included in the Michigan Upper Peninsula marketing area, such territory should be deleted from the definition of the Northeastern Wisconsin marketing area. The effect of such change on the returns to Northeastern Wisconsin producers will not be significant. No objections to such a transfer of territory were raised by handlers or producers under the Northeastern Wisconsin order.

(2) The present Class I price differentials should be retained for another 18-month period.

Several proposed amendments to the Class I pricing provisions were offered for hearing. They related to the level and seasonality of price, the application of the basic price formula, and the location price specified for plants in Oneida County, Wisconsin.

During the first 15 months of the order, beginning with November 1, 1958, Northeastern Wisconsin producers supplied an adequate volume of milk to satisfy the Class I demands of the market. In this 15-month period the percentage relationship of Class I sales to receipts ranged from a low of about 64 percent in May 1959 to a high of approximately 89 percent in October 1959. For November and December 1958 and January 1959, Class I sales as a percentage of producer receipts were 80.9, 76.4, and 72.3 percent, respectively. During, the corresponding months a year later, the percentages were 80.5, 75.5, and 68.8

percent, respectively. While Class I utilization in each of the latter four months was lower, as a percentage of producer receipts, than in the earlier period, the difference was so minor as to preclude any definite conclusion as to the effect of the present Class I price in changing the trend relationship between the supply of and demand for producer milk that has prevailed during the past year.

It is not apparent that the 36-cent higher price called for by certain of the price proposals offered is required to encourage an adequate supply of milk. It is quite possible that insufficient time has transpired since the effective date of the order for supply and demand to respond fully to the minimum Class I price level established by the order. In any case, there has been no indication of a deterioration of supply conditions. Therefore, the Class I price differentials now contained in the order should be retained for an additional 18-month period. After a reasonable time has elapsed another hearing should be convened to consider any appropriate modification of the Class I price level on the basis of the additional supply and demand data then available.

The basic formula price is designed to reflect the farm price level of milk used by condenseries and that used in the manufacture of butter and nonfat dry milk solids, as a base for pricing milk for fluid use. A differential is added to the higher of the two prices for manufacturing milk to determine the appropriate Class I price. The higher of the condensery price or butter-honfat dry milk solids price is also the Class II price for the month and the butter-nonfat dry milk solids price has been employed as the Class III price for the month.

Producer groups testified that the butter-nonfat dry milk solids formula no longer reflects the value of manufacturing grade milk produced in the milkshed for such uses. For reasons discussed below under issue number (3) 5.0 cents is added to this component of the basic price formula to improve the alignment of the Class III milk price with the current prices being paid at unregulated plants for ungraded milk in Class III uses.

The proposed change in the butternonfat dry milk solids component also would have affected the basic formula and Class I prices in two of the 15 months between November 1958 and January 1960, namely August and September 1959, and then to the extent of 1 and 7 cents, respectively. Although such a revision of the basic price formula would have only minor influence on the annual level of the Class I price, such effect would not be consistent with the finding that the Class I price formula should not be revised at this time. Therefore, the basic price formula has not been changed.

The order now provides Class I differentials which vary inversely with the seasonality of production. According to one proposal offered a uniform Class I differential would be applied in all months.

The seasonal variation of producer receipts is such that some price incentive to level production is warranted. For example, on a daily average basis, producer receipts during May 1959 were 148 percent of producer receipts during the preceding November. It is concluded that the seasonal Class I differentials should be retained as a continuing incentive to level production.

The minimum Class I price provided for plants located in Florence, Forest, Marinette and Oneida Counties, or in the State of Michigan, is 10 cents higher than at plants located elsewhere in the marketing area. It was proposed that the Class I price at plants in Oneida County be reduced 10 cents per hundredweight.

When the Northeastern Wisconsin order was promulgated, Oneida County was included in the higher Class I price zone in recognition of the less intensive milk production in that county as compared with most other countles to the south and, accordingly, to recognize the cost involved in moving needed milk for Class I use from plants located in the more southerly portions of the milkshed. The principal economic circumstances that existed at the time of the promulgation and led to the adoption of a location price for Oneida County, have not changed so to warrant a reduction in the Class I price at plants in such county.

(3) The Class III price should be increased.

Under the order, the Class III price each month is the butter-nonfat dry milk price computed as one of the alternate parts of the basic price formula. It was proposed that the Class III price formula be modified to reflect more nearly the current value of milk used for butter and nonfat dry milk. During the past year the proposal would have increased the Class III price about 5 cents per hundredweight.

The butter-nonfat dry milk formula used for Class III pricing no longer reflects in a reasonable manner the value of producer milk for butter and nonfat dry milk manufacture within the Northeastern Wisconsin milkshed. The average price paid during 1959 for manufacturing grade milk containing 3.5 percent butterfat at 35 plants located in the Northeastern Wisconsin milkshed was \$3.015. The average price paid for such milk received at several unregulated plants operated by a cooperative association operating as a handler under the order was \$3.037, exclusive of any patronage dividend.

Producer milk used for butter and nonfat dry milk should be worth as much as ungraded milk for such uses, although in some cases it may not be possible to realize a net return from excess milk from the fluid market quite as great as from the manufacture of regular supplies of ungraded milk. When this condition prevails the price of Class HI milk may reasonably be set at a slightly lower level than the pay prices for ungraded milk. In this instance, it is concluded that the Class III price should be increased somewhat at this time to improve the alignment of such class price with ungraded milk values. Pro-

ponents of a higher level of Class III prices alleged that an increase of 10-15 cents per hundredweight might be justified in present circumstances. However, they limited their request to an increase of about 5 cents per hundredweight. A 5.0 cent increase in the Class III price is considered reasonable at this time and is adopted with the limitation that the Class III price should not exceed the Class II price. If the Class III prices during 1959 had been determined pursuant to the amendment provided herein, the average price for the year would have been approximately \$2.93.

(4) No change should be made in the method of computing class butterfat differentials.

A producer association proposed that the multiplier used in computing the Class I butterfat differential be increased from 0.125 to 0.140, and that used in computing the Class II and Class III differentials from 0.115 to 0.122. The proposal would result in a reapportionment of the values of skim milk and butterfat utilized in each class, i.e., product cost for items with less than 3.5 percent butterfat would be decreased and product cost for items with a higher than 3.5 percent butterfat content would be increased.

The butterfat test of producer milk delivered during 1959 averaged 3.69 percent. The butterfat test of Class I milk in the same period averaged 3.70 percent. This relationship reflects an excellent balance between the butterfat delivered by producers and that needed to satisfy Class I requirements. It is concluded, therefore, that the present butterfat differentials are working well and should not be changed at this time.

(5) The order should provide that milk to be diverted to a nonpool plant during each of the months of July through November should not exceed 10 days' production.

The order currently provides for the unlimited diversion of milk in any month. One producer group proposed that diversion be limited to 10 days during any month, and another proposed that unlimited diversion continue for the months of December through July but be limited to 50 percent of each producer's production during the months of August through November.

The privilege of unlimited diversion during the short production months tends to encourage handlers to add producers in excess of those needed to supply the Class I needs of the market and the necessary reserve. In this market. however, at least one handler operates his bottling plant on certain days of the week only. Such handler, therefore, does not require the production of each producer on a daily basis. Some production not needed by bottling plants must be diverted to nonpool plants for manufacture in the August-November period as well as at other times of the year when milk is more plentiful seasonally. Under these circumstances a diversion limitation of 10 days' production in the fall months will accommodate the procurement practices of handlers and tend to prevent the addition of producers simply for the purpose of pool riding. In view of daily variations in production, a 50 percent volume limitation would require more bookkeeping than a limitation based upon a specified number of days and therefore is not adopted.

No limitation should be placed upon diversion in other months. Because of the seasonal aspects of production and Class I sales, it may be expected that handlers with limited milk holding or processing facilities will find it necessary to divert milk to nonpool plants for manufacturing during the other months of the year. In many instances it would be more economical to divert the production of these farmers on all occasions when milk is not needed at the bottling plant.

(6) No change should be made in the classification of skim milk and butter-fat used to produce "hard" cheese or with respect to milk received from a plant regulated under the terms of another Federal order. No change should be made in the "skim milk equivalent" method of classifying nonfat dry milk solids used in fortification. The provisions relating to the classification of transfers to nonpool plants should be clarified.

The order provides that skim milk and butterfat used to produce cheese, not including cottage cheese, shall be classified as Class III milk. It was proposed that skim milk and butterfat so used be reclassified to Class II milk. Proponent testified that milk of Northeastern Wisconsin producers is sold to cheese factories for prices higher than the present Class III price. It has been concluded previously that the Class III price should be increased in accordance with producers' proposal.

Producer receipts are allocated to Class I utilization before receipts from plants regulated under the terms of another Federal order. It was proposed that the Northeastern Wisconsin order be amended to provide that receipts of butterfat in cream from other Federal order plants receive prior allocation to Class I if priced under the terms of the other Federal order on a comparable basis with the Class I price for butterfat under the Northeastern Wisconsin order.

Northeastern Wisconsin producers have committed their facilities to produce a regular, dependable supply of milk for the Class I needs of the marketing area. Handlers import bulk cream from other markets only when there is insufficient milk available from producers. If the allocation provisions were amended as proposed, the net effect would be to give Class I to sources of cream which are not required or available on a regular basis rather than to those producers who constitute the main source of milk for fluid milk as well as milk for fluid cream. The proposal would not tend to promote orderly marketing conditions for producers and therefore is denied.

The order provides that in the event nonfat dry milk solids are utilized by handlers in producing other products, the pounds computed for classification purposes shall be the "skim milk equivalent" of the nonfat dry milk solids.

Another method was proposed, however, the effect of which would be not to include the water normally associated with such solids.

Nonfat solids may be obtained from producer milk as well as from nonfat dry milk or condensed skim milk. Neither the form in which, nor the source from which, such solids are obtained alter their value to the handler since those obtained from different sources may not be distinguished on the basis of cost of production, sanitary requirements or value to consumers. Since a lesser value cannot be ascribed to solids obtained from nonfat dry milk than to those obtained from producer milk, the order should not be amended to provide for pricing solids obtained from nonfat dry milk or condensed skim milk on a basis lower than the pricing of solids obtained from producer milk and similarly used. To compute volumes in the manner proposed for purposes of classification would have such result and therefore the proposal is denied.

The transfer provisions should be amended to clarify the basis for classifying transfers of skim milk and butterfat to nonpool plants. At least one handler operating a Northeastern Wisconsin pool plant also operates nonpool plants. During certain periods, when Northeastern Wisconsin producer milk is in excess of the needs of his pool plant, this operator has found it economical to transfer milk to a nonpool plant. some cases the milk is separated and the cream or skim milk therefrom is transferred to a second or third nonpool plant for processing. It is possible to interpret the present transfer provisions so as to classify in Class I any transfers of skim milk or butterfat in fluid form made from the first to a subsequent nonpool plant, regardless of the ultimate utilization. In order to promote orderly marketing of temporary excess of producer milk, the order should specify that fluid skim milk and butterfat derived from producer milk which is received at the first nonpool plant and then transferred to a second or subsequent nonpool plant may be classified according to the use made at the last plant of receipt.

The order further provides that bulk transfers of milk to nonpool plants where milk is bottled shall be classified as Class I to the extent that fluid milk sales from the nonpool plant exceed receipts from those dairy farmers who constitute its regular source of Grade A milk supply. Such plants sometimes receive milk from plants under other Federal orders also. Classification as Class I of milk from Northeastern Wisconsin pool plants can result in duplication in the classification of milk received at the nonpool plant from plants regulated by more than one Federal order. Therefore, the amount of bulk milk moved to such plant and classified as Class I milk from this market should be the market's pro rata share of the available Class I sales remaining after assigning such sales first to Grade A receipts from regular dairy farmers. This will provide a reasonable basis for assigning Class I milk among regulated markets in the case of movements to a common nonpool plant.

(7) The delivery requirements for pool plant status should be revised.

The order provides automatic pool status for certain supply-type plants during the months of December through July, i.e., a supply plant that is qualified under the minimum shipping requirements for each of the months of August through November may continue in status as a pool plant for each of the succeeding months of December through July. It was proposed that the order be amended to eliminate such automatic pool status for any supply plant. Pursuant to this proposal at least 50 percent of Grade A milk receipts from dairy farmers at the supply plant would have to be shipped to pool distributing plants each month of the year to insure pool status.

During those months of the year when the market is short of milk it is practical and expedient to provide a specific shipping requirement in order to determine whether supply plants are closely identified with the market and thus eligible to participate in the pool. In view of the varying seasonalities of production and demand, however, supply plants which have evidenced regular association with the market should not be required to ship large volumes of milk to distributing plants in order to maintain pool status throughout the year.

The months of August through November were selected originally as the. months during which qualification for automatic status in other months of the year could be achieved. Such fall months were those for which it was expected that producer milk deliveries would be least in relation to Class I milk requirements. July also is a month in which milk supplies are relatively low in relation to Class I needs and such month should be included among those on which qualification for automatic status for December through June is based. This change, combined with the revised provisions for the diversion of milk and higher Class III price, should make it possible for the market to obtain sufficient supplies but at the same time mitigate opportunities for pool riding.

(8) The compensatory payment provisions applicable to milk received at a pool plant from nonpool supply plants and allocated to Class I should not be modified.

It was proposed that the handler have the option of paying to the pool either the compensatory payment rate specified in the order for each hundredweight of milk received from a nonpool supply plant and allocated to Class I, or the amount by which total payments to dairy farmers at the nonpool plant are less than the total value of the milk at such plant computed on the basis of the classification and pricing provisions applicable at pool plants. The proponent handler operates a pool plant from which milk is supplied to several pool distributing plants. It was testified that should such plant fail to qualify under the 50 percent shipping requirement in the fall months, the proposed amendment would reduce the impact of subsequent nonpool

The proponent handler undoubtedly can insure pool status for his supply plant during each of the months of July. August, September, October and November, i.e., he is in a position to rearrange his procurement practices whenever it appears that his receipts of Grade A milk from dairy farmers may be more than twice his monthly shipments to pool distributing plants. If adopted as proposed the amendment would encourage operators of supply plants to associate plants with the Northeastern Wisconsin market on an opportunity basis rather than as a regular, dependable source of supply. There was no other testimony in support of such a provision.

(9) The order should not provide a base-excess plan.

Three cooperative associations, together representing approximately 25 percent of the producers who deliver milk to Northeastern Wisconsin pool plants, proposed the adoption of baseexcess provisions for making payment to producers. At present the producer members of the proponent associations are being paid pursuant to voluntary base-excess plans similar to the plan applicable to milk of other members whose milk is delivered to Chicago order plants. A fourth cooperative association, representing about 50 percent of producers delivering to Northeastern pool plants, opposed base-excess payment provisions.

Because the order has been in effect such a relatively short period, however. insufficient data are available to permit detailed analysis as to the reasons for the relatively favorable seasonality of deliveries to the Northeastern Wisconsin market. Since there is no unanimity of opinion or support among producers for the base-excess plan and because the seasonality of Class I price differentials provided will assist to promote a desirable seasonal production pattern and also tend to keep prices adjusted in relation to those of Chicago producers, it is concluded that a base-excess plan is not warranted at this time.

(10) The order should provide for only one reporting period a month.

A handler proposed that the order provide the option of more than one reporting and accounting period within a month. It was testified that the presence of such a provision would make less costly any change in method of procurement adopted by the handler during rather than at the beginning of a given month, since milk classification and allocation would be determined separately on milk received prior to the change in source of milk supply and on that received after the change.

The proponent handler was the only handler who had experienced any problem of this kind. He testified that he is not likely to encounter such difficulty in the future. No other interested party supported the proposal. The proposed amendment therefore is not considered necessary at this time as a means of promoting orderly marketing.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties in the market. These briefs, proposed findings and conclusions, and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act:

(b) The parity prices of milk as determined pursuant to Section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order regulating the handling of milk in the Northeastern Wisconsin marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

- 1. Delete § 1016.5 (e), (f) and (h); delete the word "and" and replace the semicolon with a period, both at the end of § 1016.5(g); renumber such paragraph (g) as (f); and add immediately prior thereto a new paragraph (e) as follows:
- (e) Forest County and Oconto County (exclusive of the Menominee Indian Reservation), Wisconsin; and
- 2. Delete from § 1016.8(b) the word "August" and substitute "July"; delete from the same paragraph the word "July" and substitute "June".
- 3. Substitute a colon for the period at the end of the second sentence in § 1016.10(a) and add the following proviso: "Provided, That for each of the

months of July through November diversion of the milk of any such person shall be limited to 10 days (5 days in the case of every-other-day delivery)."

- 4. Delete § 1016.43(c) and substitute therefor the following:
- (c) A nonpool plant (except as specified in paragraph (b) of this section) shall be Class I utilization, unless the following conditions and the conditions of paragraph (d) of this section are met;
- (1) Utilization in another class is claimed by the transferor-handler in his report submitted pursuant to § 1016.30 for the month;
- (2) The operator of the nonpool plant has utilization of an equivalent amount of skim milk and butterfat remaining in the class of use claimed in subparagraph (1) of this paragraph after the prior deduction in sequence beginning with the lowest-priced available class of use of any receipts thereat during the month of skim milk or butterfat, respectively, from plants not regulated under the provisions of any Federal marketing agreement or order; and
- (3) The operator of the nonpool plant maintains books and records which are adequate for the verification of such utilization and are made available if requested by the market administrator.
- (d) The classification of any skim milk or butterfat for which a claim of use is made under paragraph (c) (1) of this section shall be subject to the following further conditions:
- (1) If any skim milk or butterfat was disposed of from the nonpool plant in the form of bulk milk, skim milk, or cream to another nonpool plant(s), the market administrator shall determine the classification of such skim milk or butterfat at the nonpool plant where actually used or processed when necessary to support a claim made pursuant to paragraph (c) (1) of this section:
- (2) If Class I utilization at any nonpool plant at which classification of the. pooled milk is made exceeds the receipts during the month from dairy farmers who constitute its regular source of Grade A milk, the transferred quantity shall be Class I to the extent of such excess: Provided, That (i) when, during the month, transfers to such nonpool plant have been made from regulated plants under more than one Federal marketing agreement or order, the amount of skim milk or butterfat so classified as Class I milk shall be a pro rata quantity based on the proportion of receipts at the nonpool plant from each of such regulated plants, and (ii) any amount of pooled milk remaining after the computation in (i) of this proviso shall be assigned in sequence to the available uses in the class claimed and any balance to the remaining uses in the noonpool plant; and
 (3) If Class I utilization at any non-
- (3) If Class I utilization at any non-pool plant at which classification of the pooled milk is made does not exceed the receipts during the month from dairy farmers who constitute its regular source of Grade A milk, the transferred quantity which is in excess of the available uses in the class claimed under paragraph (c) (1) of this section shall be classified in other classes in sequence be-

ginning with the next lowest-priced and amended by the Agricultural Maravailable class of use.

- 5. Delete from the introductory portion of § 1016.51 the phrase "during the 18 month period following the effective date of this part shall be" and substitute therefor the phrase "shall be as follows during the period through November
- 6. In § 1016.50(b) (2) delete the words "delivery period" wherever they appear therein and substitute therefor the word "month"
- 7. Add the following after the crossreference "§ 1016.50(b)" at the end of § 1016.53: "plus 5 cents: Provided, That the resulting price shall not be higher than the Class II price."

Issued at Washington, D.C., this 20th day of May 1960.

> ROY W. LENNARTSON, Deputy Administrator.

[F.R. Doc. 60-4702; Filed, May 24, 1960; 8:47 a.m.]

[7 CFR Part 1033]

[Docket No. AO-322]

ONIONS GROWN IN SOUTH TEXAS

Hearing With Respect to Proposed Marketing Agreement and Order

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the County Court Room, District Courthouse, Edinburg, Texas, at 9:30 a.m., c.s.t., June 13, 1960, with respect to a proposed marketing agreement and order regulating the handling of onions grown in designated counties in South Texas. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the provisions of the proposed marketing agreement and order hereinafter set forth, and to any appropriate modifications thereof.

The South Texas Onion Committee. supported by the Valley Farm Bureau and the Texas Citrus and Vegetable Growers and Shippers Association, jointly submitted and requested the hearing on the proposed marketing agreement and order, of which the terms and conditions are as set forth below.

DEFINITIONS

§ 1033.1 Secretary.

"Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may be hereafter delegated, to act in his stead.

§ 1033.2 Act.

"Act" means Public Act No. 10, 73d Congress, as amended and as reenacted

keting Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

§ 1033.3 Person.

"Person" means an individual, partnership, corporation, association or any other business unit.

§ 1033.4 Production area.

"Production area" means the counties of Val Verde, Kinney, Uvalde, Medina, Wilson, Karnes, Goliad, Victoria, Calhoun, Maverick, Zavala, Frio, Atascosa, Dimmit, La Salle, McMullen, Live Oak, Bee, Refugio, Webb, Duval, Jim Wells, San Patricio, Neuces, Zapata, Jim Hogg, Brooks, Kleberg, Kenedy, Starr, De Witt, Aransas, Hidalgo, Willacy, and Cameron, in the State of Texas.

§ 1033.5 Onions.

"Onions" means all varieties of Allium cepa commonly known as onions grown within the production area and marketed dry.

§ 1033.6 Handler.

"Handler" is synonymous with "shipper" and means any person (except a common or contract carrier of onions owned by another person) who handles onions or causes onions to be handled.

§ 1033.7 Handle.

"Handle" or "ship" means to package, sell, transport, or in any way to place onions in the current of the commerce between the production area and any point outside thereof: Provided, That such term shall not include the transportation, sale, or delivery of onions by a producer to a handler who is registered as such with the committee.

§ 1033.8 Producer.

"Producer" means any person engaged in a proprietary capacity in the production of onions for market.

§ 1033.9 Grading.

"Grading" is synonymous with "preparation for market" and means the sorting or separation of onions into grades, sizes, and packs for market purposes.

§ 1033.10 Grade and size.

"Grade" means any of the established grades of onions, and "size" means any of the established sizes of onions as defined and set forth in the United States Standards for Bermuda-Granex Type Onions (§§ 51.3195 to 51.3209 of this title) or any other United States Standards or State of Texas Standards for onions, or amendments thereto, or modifications thereof, or variations based thereon, recommended by the committee and approved by the Secretary.

§ 1033.11 Pack.

"Pack" means a quantity of onions in any type of container and which falls within specific weight limits, numerical limits, grade limits, size limits or any combination of these, recommended by the committee and approved by the Secretary.

§ 1033.12 Container.

"Container" means a box, bag, crate, hamper, basket, package, bulk load, or

any other receptacle used in the packaging, transportation, sale, shipment or other handling of onions.

§ 1033.13 Varieties.

"Varieties" means and includes all classifications, subdivisions, or types of onions according to those definitive characteristics now or hereafter recognized by the United States Department of Agriculture or recommended by the committee and approved by the Secretary.

"Committee" means the South Texas Onion Committee, established pursuant to § 1033.22.

§ 1033.15 Fiscal period.

"Fiscal period" means the annual period beginning and ending on such dates as may be approved by the Secretary pursuant to recommendations of the committee.

§ 1033.16 District.

"District" means each of the geographic divisions of the production area initially established pursuant to § 1033.24 or as reestablished pursuant to § 1033.25.

§ 1033.17 Export.

"Export" means to ship onions to any destination which is not within the 48 contiguous States, or the District of Columbia, of the United States.

8 1033.18 Roller.

"Roller" means a shipment not supported by evidence of sale. A consigned shipment not subject to diversion shall not be termed a roller.

COMMITTEE

§ 1033.22 Establishment and membership.

The South Texas Onion Committee. consisting of seventeen members, ten of whom shall be producers and seven of whom shall be handlers, is hereby established. For each member of the committee there shall be an alternate. Producer members and alternates shall not have a proprietary interest in or be employees of a handler organization.

§ 1033.23 Term of office.

(a) The term of office of committee members and their respective alternates shall be for two years and shall begin as of August 1 and end as of July 31. The terms shall be so determined that about one-half of the total committee membership shall terminate each year.

(b) Committee members and alternates shall serve during the term of office for which they are selected and have qualified, or during that portion thereof beginning on the date on which they qualify during such term of office and continuing until the end thereof, and until their successors are selected and have qualified.

§ 1033.24 Districts.

To determine a basis for selecting committee members, the following districts of the production area are hereby initially established:

District No. 1: (Coastal Bend) The Countles of Victoria, Calhoun, Gollad, Refugio, Bee, Live Oak, San Patricio, Aransas, Jim

No. 102-4

Wells, Nucces, Kleberg, Brooks, Kenedy, Duval, and McMullen in the State of Texas. District No. 2: (Laredo) The Counties of Zapata, Webb, and Jim Hogg in the State of Texas.

District No. 3: (Lower Valley) The Counties of Cameron, Hidalgo, Starr, and Willacy in the State of Texas.

District No. 4: (Wilson-Karnes) The Counties of DeWitt, Wilson, Atascosa, and Karnes in the State of Texas.

District No. 5: (Winter Garden) The Counties of Val Verde, Frio, Kinney, Uvalde, Medina, Maverick, Zavala, Dimmit, and La-Salle in the State of Texas.

§ 1033.25 Redistricting.

The committee may recommend, and pursuant thereto, the Secretary may approve, the reapportionment of members among districts, and the reestablishment of districts within the production area. In recommending any such changes, the committee shall give consideration to:

(a) Shifts in onion acreage within the districts and within the production area during recent years;

(b) The importance of new production in its relation to existing districts;

(c) The equitable relationship of committee membership and districts;

(d) Economies to result for producers in promoting efficient administration due to redistricting or re-apportionment of members within districts; and

(e) Other relevant factors. No change in districting or in apportionment of members within districts may become effective less than 30 days prior to the date on which terms of office begin each year and no recommendations for such redistricting or re-apportionment may be made less than six months prior to such date.

§ 1033.26 Selection.

The Secretary shall select members and respective alternates from districts established pursuant to §§ 1033.24 or 1033.25. Initial selections shall be as follows:

District No. 1—3 producer members and alternates; 1 handler member and alternate. District No. 2—2 producer members and alternates: 1 handler member and alternate.

District No. 3—3 producer members and alternates; 2 handler members and alternates.

District No. 4—1 handler member and alternate.

District No. 5—2 producer members and alternates: 2 handler members and alternates.

§ 1033.27 Nomination.

The Secretary may select the members of the committee and alternates from nominations which may be made in the following manner:

(a) A meeting or meetings of producers and handlers shall be held for each district to nominate members and alternates for the committee. For nominations to the initial committee, the meetings may be sponsored by the United States Department of Agriculture or by any agency or group requested to do so by such department. For nominations for succeeding members and alternates on the committee, the committee shall hold such meetings or cause them to be held prior to June 15 of each year, after the effective date of this subpart;

(b) At each such meeting at least one nominee shall be designated for each

position as member and for each position as alternate member on the committee:

(c) Nominations for committee members and alternates shall be supplied to the Secretary in such manner and form as he may prescribe, not later than July 1 of each year:

(d) Only producers may participate in designating producer nominees, and only handlers may participate in naming handler nominees. In the event a person is engaged in producing or handling onions in more than one district, such person shall elect the district within which he may participate as aforesaid in designating nominees;

(e) Regardless of the number of districts in which a person produces or handles onions, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives in designating nominees for committee members and alternates. An eligible voter's privilege of casting only one vote as aforesald shall be construed to permit a voter to cast one vote for each position to be filled in the respective district in which he elects to vote.

§ 1033.28 Failure to nominate.

If nominations are not made within the time and in the manner specified in § 1033.27, the Secretary may, without regard to nominations, select the committee members and alternates, which selection shall be on the basis of the representation provided for in § 1033.22 through § 1033.26 inclusive.

§ 1033.29 Acceptance.

Any person selected as a committee member or alternate shall qualify by filing a written acceptance within ten days after being notified of such selection.

§ 1033.30 Vacancies.

To fill committee vacancies, the Secretary may select such members or alternates from unselected nominees on the current nominee list from the district involved, or from nominations made in the manner specified in § 1033.27. If the names of nominees to fill any such vacancy are not made available to the Secretary within 30 days after such vacancy occurs, such vacancy may be filled without regard to nominations, which selection shall be made on the basis of the representation provided for in §§ 1033.-24-1033.26, inclusive.

§ 1033.31 Alternate members.

An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate, during such member's absence or when designated to do so by the member for whom he is an alternate. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor of such member is selected and has qualified.

§ 1033.32 Procedure.

(a) Eleven members of the committee shall be necessary to constitute a quorum. Nine concurring votes, or twothirds of the votes cast, whichever is greater, shall be required to pass any

motion or approve any committee action. At assembled meetings all votes shall be cast in person.

(b) The committee may meet by telephone, telegraph, or other means of communication and any vote at such a meeting shall be promptly confirmed in writing. At any unassembled meeting unanimous vote of all committee members voting will be required to approve any action.

§ 1033.33 Expenses and compensation.

Committee members and alternates when acting on committee business shall be reimbursed for reasonable expenses necessarily incurred by them in the performance of their duties and in the exercise of their powers under this part. In addition they may receive compensation at a rate to be determined by the committee and approved by the Secretary, not to exceed \$10 for each day, or portion thereof, spent in attending to committee business. The committee may request the attendance of alternates at any or all meetings, notwithstanding the expected or actual presence of the respective members.

§ 1033.34 Powers.

The committee shall have the following powers:

(a) To administer the provisions of this part in accordance with its terms and provisions;

(b) To make rules and regulations to effectuate the terms and provisions of this part;

(c) To receive, investigate, and report to the Secretary complaints of violation of the provisions of this part; and

(d) To recommend to the Secretary amendments to this part.

§ 1033.35 Duties.

It shall be, among other things, the duty of the committee:

(a) As soon as practicable after the beginning of each term of office, to meet and organize, to select a chairman and such other officers as may be necessary, to select subcommittees of committee members, and to adopt such rules and regulations for the conduct of its business as it may deem advisable;

(b) To act as intermediary between the Secretary and any producer or handler;

(c) To furnish to the Secretary such available information as he may request;

(d) To appoint such employees, agents, and representatives as it may deem necessary and to determine the salaries and define the duties of each such person, and to protect the handling of committee funds through fidelity bonds for employees;

(e) To investigate from time to time and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to onions;

(f) To prepare a marketing policy;

(g) To recommend marketing regulations to the Secretary;

(h) To recommend rules and procedures for, and to make determinations in connection with, issuance of certificates of privilege;

(i) To keep minutes, books, and records which clearly reflect all of the acts

and transactions of the committee, and such minutes, books and records shall be subject to examination at any time by the Secretary or by his authorized agent or representative. Minutes of each committee meeting shall be reported promptly to the Secretary;

(j) At the beginning of each fiscal period, to prepare a budget of its expenses for such fiscal period, together

with a report thereon:

(k) To cause the books of the committee to be audited by a competent accountant at least once each fiscal period, and at such other time as the committee may deem necessary or as the Secretary may request. The report of such audit shall show the receipt and expenditure of funds collected pursuant to this part. A copy of each such report shall be made available at the principal office of the committee for inspection by producers and handlers, and a copy of each such report shall be furnished the Secretary:

(1) To consult, cooperate, and exchange information with other marketing agreement committees and other individuals or agencies in connection with all proper committee activities and objectives under this part.

EXPENSES AND ASSESSMENTS

§ 1033.40 Expenses.

The committee is authorized to incur such expenses as the Secretary may find are reasonable and likely to be incurred during each fiscal period for its maintenance and functioning, and for such purposes as the Secretary, pursuant to this subpart, determines to be appropriate. Handlers shall share expenses on the basis of a fiscal period. Each handler's share of such expenses shall be proportionate to the ratio between the total quantity of onions handled by the first handler thereof during a fiscal period and the quantity of onions handled by all handlers as first handlers thereof during such fiscal period.

§ 1033.41 Budget.

As soon as practicable after the beginning of each fiscal period and as may be necessary thereafter, the committee shall prepare an estimated budget of income and expenditures necessary for the administration of this part. The committee may recommend a rate of assessment calculated to provide adequate funds to defray its proposed expenditures. The committee shall present such budget to the Secretary with an accompanying report showing the basis for its calculations

§ 1033.42 Assessments.

- (a) The funds to cover the committee's expenses shall be acquired by the levying of assessments upon handlers as provided in this subpart. Each handler who first handles onions, which are regulated under this part, shall pay assessments to the committee upon demand, which assessments shall be in payment of such handler's pro rata share of the committee's expenses.
- (b) Assessments shall be levied upon handlers at rates established by the Secretary. Such rates may be established upon the basis of the committee's rec-

ommendations and other available information. Such rates may be applied to specified containers used in the production area.

- (c) At any time during, or subsequent to, a given period the committee may recommend the approval of an amended budget and an increase in the rate of assessment. Upon the basis of such recommendations, or other available information, the Secretary may approve an amended budget and increase the rate of assessment. Such increase shall be applicable to all onions which were regulated under this part and which were handled by the first handlers thereof during such fiscal period.
- (d) The payment of assessments for the maintenance and functioning of the committee may be required under this part throughout the period it is in effect irrespective of whether particular provisions thereof are suspended or become inoperative.

§ 1033.43 Accounting.

- (a) Assessments collected in excess of expenses incurred shall be accounted for in accordance with one of the following:
- (1) Excess funds not retained in a reserve, as provided in subparagraph (2) of this paragraph shall be refunded proportionately to the persons from whom they were collected.
- (2) The committee, with the approval of the Secretary, may carry over excess funds into subsequent fiscal periods as reserves: Provided, That funds already in reserves do not equal approximately one fiscal period's expenses. Such reserve funds may be used (i) to defray expenses during any fiscal period prior to the time assessment income is sufficient to cover such expenses, (ii) to cover deficits incurred during any fiscal period when assessment income is less than expenses, (iii) to defray expenses incurred during any period when any or all provisions of this part are suspended or are inoperative, (iv) to cover necessary expenses of liquidation in the event of termination of this part. Upon such termination, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate. To the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.
- (b) All funds received by the committee pursuant to the provisions of this part shall be used solely for the purpose specified in this part and shall be accounted for in the manner provided for in this part. The Secretary may at any time require the committee and its members to account for all receipts and disbursements.
- (c) Upon the removal or expiration of the term of office of any member of the committee, such member shall account for all receipts and disbursements and deliver all property and funds in his possession to the committee, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in the committee full title to all of the property, funds, and claims vested in such member pursuant to this

(d) The committee may make recommendations to the Secretary for one or more of the members thereof, or any other person, to act as a trustee for holding records, funds, or any other committee property during periods of suspension of this subpart, or during any period or periods when regulations are not in effect and if the Secretary determines such action appropriate, he may direct that such person or persons shall act as trustee or trustees for the committee.

RESEARCH AND DEVELOPMENT

§ 1033.48 Research and development.

The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of onions. The expenses of such projects shall be paid from funds collected pursuant to § 1033.42.

RECULATIONS

§ 1033.50 Marketing policy.

- (a) At the beginning of each season, and as the Secretary may require, the committee shall prepare a marketing policy. Such policy shall indicate the data on onion supplies and demand on which the committee bases its judgements and recommendations. It shall indicate also the kind or types of regulations contemplated during the ensuing season, and, to the extent practical, shall include recommendations for specific regulations. Notice of such marketing policy shall be given to producers, handlers, and other interested parties by bulletins, newspapers, or other appropriate media, and copies thereof shall be submitted to the Secretary and shall be available generally.
- (b) Marketing policy statements relating to recommendations for regulations shall give appropriate consideration to onion supplies for the season, with special consideration to:
- (1) Estimates of total supplies, including grade, size, and quality thereof, in the production area;
- (2) Estimate of supplies in the competing areas:
- (3) Market prices by grades, sizes, containers, and packs;
- (4) Estimates of supplies of competing commodities;
- (5) Anticipated marketing problems:
- (6) Level and trend of consumer income; and
 - (7) Other relevant factors.

§ 1033.51 Recommendations for regulations.

Upon complying with the requirements of § 1033.50 the committee may recommend regulations to the Secretary whenever it finds that such regulations as are provided for in this subpart will tend to effectuate the declared policy of the act.

§ 1033.52 Issuance of regulations.

(a) The Secretary shall limit the handling of onions by regulations specified in this section whenever he finds from the recommendations and information submitted by the committee, or from other available information, that such

regulations would tend to effectuate the declared policy of the act.

(b) Such regulations may:

(1) Limit in any or all portions of the production area the handling of particular grades, sizes, qualities or packs, or any combination thereof, of any or all varieties of onions during any period;

(2) Limit the handling of particular grades, sizes, qualities, or packs of onions differently for different varieties for different containers, for different portions of the production area, or any combination of the foregoing, during any period;

(3) Limit the handling of onions by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity:

(4) Fix the size, capacity, weight, dimensions, or pack of the container or containers which may be used in the packaging, transportation, sale, preparation for market, shipment, or other handling of onlons:

(5) Establish shipping holidays by prohibiting the handling of onions during a specified period or periods. No regulation issued pursuant hereto shall be effective for more than 72 hours, and not less than 72 hours shall elapse between the termination of any such shipping holiday and the beginning of the next such period;

(c) Regulations issued hereunder may be amended, modified, suspended, or terminated whenever it is determined:

(1) That such action is warranted upon recommendation of the committee or other available information;

(2) That such action is essential to provide relief from inspection, assessment, or regulations under paragraph (b) of this section for minimum quantities less than customary commercial transactions:

(3) That regulations issued hereunder no longer tend to effectuate the declared policy of the Act.

§ 1033.53 Unfair methods of competition and unfair trade practices.

The shipment of rollers is prohibited as an unfair method of competition and an unfair trade practice.

§ 1033.54 Handling for special purposes.

Regulations in effect pursuant to §§ 1033.42, 1033.52, or 1033.60 may be modified, suspended, or terminated to facilitate handling of onions for:

(a) Relief or charity;

(b) Experimental purposes; and

(c) Other purposes which may be recommended by the committee and approved by the Secretary.

§ 1033.55 Safeguards.

The committee, with the approval of the Secretary, may establish through rules, the requirements with respect to proof that shipments made pursuant to § 1033.54 were handled and used for the purpose stated.

§ 1033.56 Notification of regulation.

The Secretary shall promptly notify the committee of any regulations issued or of any modification, suspension, or termination thereof. The committee shall give reasonable notice thereof to handlers.

INSPECTION

§ 1033.60 Inspection and certification.

(a) Whenever the handling of onions is regulated pursuant to § 1033.52, or at other times when recommended by the committee and approved by the Secretary, no handlers shall handle onions unless they are inspected by an authorized representative of the Federal or Federal-State Inspection Service and are covered by a valid inspection certificate, except when relieved from such requirements pursuant to §§ 1033.52(c) or 1033.54, or paragraph (b) of this section.

(b) Regrading, resorting, or repacking any lot of onions shall invalidate any prior inspection certificate insofar as the requirements of this section are concerned. No handler shall handle onions after they have been regraded, resorted, or repacked unless such onions are inspected by an authorized representative of the Federal or Federal-State Inspection Service. Such inspection requirements on regraded, resorted, or repacked onions may be modified, suspended, or terminated upon recommendation by the committee and approval of the Secretary.

(c) Upon recommendation of the committee and approval by the Secretary, any or all onions so inspected and certified shall be identified by appropriate seals, stamps, or tags to be affixed to the containers by the handler under the direction and supervision of a Federal or Federal-State Inspector or the Committee. Master containers may bear the identification instead of the individual containers within said master container.

(d) At any time this marketing order is inoperative, compulsory inspection is not required.

(e) Insofar as the requirements of this section are concerned, the length of time for which an inspection certificate is valid may be established by the committee with the approval of the Secretary.

(f) When onions are inspected in accordance with the requirements of this section, a copy of each inspection certificate issued shall be made available to the committee by the Inspection Service.

(g) The committee may recommend and the Secretary may require that no handler shall transport or cause the transportation of onions by motor vehicle or by other means unless such shipment is accompanied by a copy of the inspection certificate issued thereon, or other document authorized by the committee to indicate that such inspection has been performed. Such certificate or document shall be surrendered to such authority as may be designated.

REPORTS

§ 1033.80 Reports.

Upon request of the committee, made with the approval of the Secretary, each handler shall furnish to the committee, in such manner and at such time as it may prescribe, such reports and other information as may be necessary for the committee to perform its duties under this part.

(a) Such reports may include, but are not necessarily limited to, the following:
(1) The quantities of onions received by a handler; (2) the quantities disposed of by him segregated as to the respective quantities subject to regulation and not subject to regulation; (3) the date of each such disposition and the identification of the carrier transporting such onions; and (4) identification of the inspection certificates relating to the onions which were handled pursuant to \$\\$ 1033.52 or 1033.54, or both.

(b) All such reports shall be held under appropriate protective classification and custody by the committee, or duly appointed employees thereof, so that the information contained therein which may adversely affect the competitive position of any handler in relation to other handlers will not be disclosed. Compilations of general reports from data submitted by handlers is authorized, subject to the prohibition of disclosure of individual handlers' identities or operations.

(c) Each handler shall maintain for at least two succeeding years such records of the onions received, and of onions disposed of, by such handler as may be necessary to verify the reports he submits to the committee pursuant to this section.

COMPLIANCE

§ 1033.81 Compliance.

Except as provided in this subpart, no handler shall handle onions, the handling of which has been prohibited by the Secretary in accordance with provisions of this subpart, or the rules and regulations thereunder, and no handler shall handle onions except in conformity to the provisions of this subpart.

MISCELLANEOUS PROVISIONS

§ 1033.82 Right of the Secretary.

The members of the committee (including successors and alternates), and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary at any time. Each and every order. regulation, decision, determination or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 1033.83 Effective time.

The provisions of this subpart, or any amendment thereto, shall become effective at such time as the Secretary may declare and shall continue in force until terminated in one of the ways specified in this subpart.

§ 1033.84 Termination.

(a) The Secretary may, at any time, terminate the provisions of this subpart by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary may terminate or suspend the operation of any or all of the provisions of this subpart whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

- (c) The Secretary shall terminate the provisions of this subpart at the end of any fiscal period whenever he finds that such termination is favored by a majority of producers who, during a representative period, have been engaged in the production of onions for market: *Provided*, That such majority has, during such representative period, produced for market more than fifty percent of the volume of such onions produced for market.
- (d) The provisions of this subpart shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 1033.85 Proceeding after termination.

- (a) Upon the termination of the provisions of this subpart the then functioning members of the committee shall continue as joint trustees for the purpose of settling the affairs of the committee by liquidating all of the funds and property then in the possession of or under control of the committee, including claims for any funds unpaid or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.
- (b) The said trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such person as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such persons full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant to this subpart.
- (c) Any person to whom funds, property, or claims have been transferred or delivered by the committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of the committee and upon the said trustees.

§ 1033.86 Effect of termination or amendments.

Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant to this subpart, or the issuance of any amendments to either thereof, shall not (1) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued under this subpart, or (2) release or extinguish any violation of this subpart or of any regulation issued under this subpart, or (3) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violation.

§ 1033.87 Duration of immunities.

The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon the termination of this subpart, except with respect to acts done under and during the existence of this subpart.

§ 1033.88 Agents.

The Secretary may, by designation in writing, name any person, including any officer or employee of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

§ 1033.89 Derogation.

Nothing contained in this subpart is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 1033.90 Personal liability.

No member or alternate of the committee nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, agent, or employee, except for acts of dishonesty, willful misconduct, or gross negligence.

§ 1033.91 Separability.

If any provision of this subpart is declared invalid, or the applicability, thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this subpart, or the applicability thereof to any other person, circumstance, or thing, shall not be affected thereby.

§ 1033.92 Amendments.

Amendments to this subpart may be proposed, from time to time, by the committee or by the Secretary.

§ 1033.93 Counterparts.

This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original.¹

§ 1033.94 Additional parties.

After the effective date hereof, any handler who has not previously executed this agreement may become a party hereto if a counterpart hereof is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

§ 1033.95 Order with marketing agreement.

Each signatory handler favors and approves the issuance of an order by the Secretary regulating the handling of onions in the same manner as is provided for in this agreement; and each signatory handler hereby requests the Secretary to issue, pursuant to the act such an order.¹

Copies of this notice of hearing may be procured from the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D.C., or may be there inspected.

Dated: May 19, 1960.

F. R. Burke, Acting Deputy Administrator, Marketing Services.

[F.R. Doc. 60-4699; Filed, May 24, 1960; 8:47 a.m.]

¹ Applicable only to the proposed marketing agreement.

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[643.3]

PORTLAND CEMENT FROM BELGIUM

Notice That There Is Reason To Believe or Suspect Purchase Price Is Less or Likely To Be Less Than Foreign Market Value

MAY 20, 1960.

Pursuant to section 201(b) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(b)), notice is hereby given that there is reason to believe or suspect, from information presented to me, that the purchase price of Portland cement, other than white, non-staining Portland cement, imported from Belgium is less or likely to be less than the foreign market value, as defined by sections 203 and 205, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162 and 164).

Customs officers are being authorized to withhold appraisement of entries of Portland cement, other than white, nonstaining Portland cement, from Belgium pursuant to section 14.9 of the Customs Regulations (19 CFR 14.9).

[SEAL]

RALPH KELLY, Commissioner of Customs.

[F.R. Doc. 60-4718; Filed, May 24, 1960; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALABAMA

Filing of Plats of Survey

May 19, 1960.

Acres

Plats of Survey of the lands described below will be officially filed in the Eastern States Land Office, effective 10:00 a.m. on June 30, 1960.

HUNTSVILLE MERIDIAN T. 15 S., R. 4 E. (Islands), Sec. 36. Lot 1

1. 10 O., IV. ± 12. (151anus),	AC/ 63
Sec. 36, Lot 1	5.14
T. 15 S., R. 5 E.,	
Sec. 21, Lot 1	0.39
T. 16 S., R. 4 E.,	
Sec. 1, Lot 1	1.43
Sec. 12, Lot 1	
T. 16 S., R. 4 E.,	
Sec. 2, Lot 1	2.38
Sec. 12, Lot 2	
T. 17 S., R. 4 E.,	
Sec. 4, Lot 1	10.60
Sec. 15:	20.00
Lot 1	1.57
Lot 2	
Sec. 22:	
Lot 1	1.07
Lot 2	
Sec. 23:	
Lot 1	2. 15
Lot 2	
Sec. 27, Lot 1	
Sec. 28, Lot 1	
	0.00

HUNTSVILLE MERIDIAN-Continued

T. 18 S., R. 3 E.,	Acres			
Sec. 11, Lot 1	_ 2.57			
Sec. 14, Lot 1	_ 8.76			
Sec. 22, Lot 1	_ 7.36			
Sec. 33, Lot 1	_ 10,41			
T. 18 S., R. 4 E.,				
Sec. 5. Tot. 1	_ 11.89			

The surveys represented by the plats were made to meet certain administrative needs in connection with a proposed withdrawal of the islands for power purposes, BLM 043309.

On May 21, 1908, by Order of the Commissioner, General Land Office, (now Director, Bureau of Land Management), at the request of the Secretary of War, all public lands in the subdivisions or fractional tracts of the townships in Alabama bordering upon the Coosa River and all such lands embraced in islands situated in the river in the townships, were temporarily withdrawn from all forms of disposition, until otherwise directed, for the improvement of the navigation of the river.

The islands identified as Lot 1, Sec. 21. T. 15 S., R. 5 E., Lots 1 and 2, Sec. 15 and Lot 1, Sec. 28, T. 17 S., R. 4 E., are all clayey loam, supporting medium to heavy growth of timber from 4 to 24 inches in diameter, of ash, elm, hackberry, maple, sycamore, birch or willow, the islands ranging in elevation from 2 to 6 feet. There is no evidence of past or present use or occupancy. These islands are considered to be over 50 percent swamp and overflow lands within the interpretation of the Swamp Land Grant Acts of March 2, 1849 (9 Stat. 352) and September 28, 1850 (9 Stat. 519). For purposes of Swamp Land Selection by the State of Alabama, these islands are not affected by the withdrawal of May 21, 1908.

Upon the effective date hereof, the lands recited herein, will be subject to the filing of applications based upon prior, valid, existing and maintained settlement rights; preference rights conferred by existing law; and equitable claims subject to allowance and confirmation. Except as to the four above described lots which are subject to selection by the State of Alabama under the Swamp Land Grant Act of September 28, 1850, the lands will not be subject to application, petition, location, selection, or to any other appropriation under any other public land law, including the mining and mineral leasing laws, unless and until a further order is issued by a duly authorized official of the Bureau of Land Management.

All inquiries relating to the lands should be directed to the Manager, Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D.C.

> H. K. Scholl, Manager.

[F.R. Doc. 60-4678; Filed, May 24, 1960; 8:45 a.m.]

Bureau of Reclamation RIVERTON PROJECT, WYOMING Annual Water Rental Charges

MAY 12, 1960.

1. Water rental. Irrigation water will be furnished upon a rental basis during the irrigation season of 1960 to the irrigable lands described in Public Notice No. 28 for the North Pavillion area, Riverton Project, Wyoming, excepting therefrom those lands which have been reclassified as nonirrigable under provisions of the Act of August 13, 1953 (67 Stat. 566), or other statutory authority.

2. Charges and terms of payment. A minimum water rental charge shall be payable for irrigable lands described in Public Notice No. 28, whether water is used or not. Such minimum charge need not be paid in any year for any acreage which the Riverton Project Manager certifies to be temporarily nonirrigable during such year due to seepage, land subsidence, shallow or impermeable soils, or excessive amounts of salts. Payment of the minimum water rental charge will entitle the water user to two acre-feet of water per irrigable acre. The minimum charge shall be payable in advance, and no water will be furnished until such charge is paid in full. Charges for water furnished in excess of two acre-feet per irrigable acre shall be payable on January 1 for water furnished during the preceding year.

The minimum water rental charge for lands in the North Pavillion area described in Public Notice No. 28 shall be \$2.00 per irrigable acre. Water in addition to two acre-feet per irrigable acre, if available, shall be furnished at the rate of \$2.00 per acre-foot, or such lower rate as may be determined by the Secretary on or about November 15 of the year in which the water is used, which rate, so far as practicable, shall be adequate to provide sufficient income to assure liquidation of operation and maintenance costs incurred during the development period.

3. Water for other lands. Irrigation water, when available, will also be furnished at the rates described in paragraph 2, to other lands in the North Pavillion area upon the filing each year of a temporary water rental application covering such other lands. The approval of a water rental application for these lands shall not be deemed to constitute an action leading to a continuing right to receive water in subsequent years. The application for water on other lands can be made at any time during the irrigation year. At the time of application, the water rental charge is due, and no water will be delivered until all charges have been paid in full.

4. Discounts and penalties. If payment of the charge for additional water is made on or before December 31, 1960, a discount of 5 percent of such charge will be allowed. If payment for addi-

tional water furnished to any lands is not made by April 1, 1961, there shall be added on the following day a penalty of one-half of one percent of the amount unpaid, and the same penalty shall be added on the first day of each calendar month thereafter so long as such default shall continue, and no water will be delivered until all charges and penalties have been paid in full.

5. Place of payment. Payment of water rental charges shall be made at the Bureau of Reclamation office in Riverton, Wyoming, or mailed to the Bureau of Reclamation, Riverton, Wyoming.

6. Public notice. This notice supersedes Public Notice No. 38 with respect to water furnished in 1960, and supplements subparagraphs 25(b) and 25(c) of Public Notice No. 28, Riverton Project.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

BRUCE JOHNSON,
Regional Director.

[F.R. Doc. 60-4679; Filed, May 24, 1960; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce JACQUES BENSA ET AL.

Order Terminating Order Denying Export Privileges

In the matter of Jacques Bensa, individually, and doing business as Americauto, S.A.R.L., 44 rue Brunel, Paris, France, and A.C.I., S.A., also known as Automobile Commerciale Internationale, 1 rue de Rive, Geneva, Switzerland, respondents,

An order was entered on October 4, 1956 (21 F.R. 7703), which, as thereafter extended, denied all export privileges to the respondents named therein, for an indefinite period pending completion of a compliance proceeding commenced against them. Said proceeding having been concluded, and good cause having been shown that this order should no longer be maintained in effect, it is, therefore, this 16th day of May 1960:

Ordered, That the said order of October 4, 1956, as extended, entered against the respondents named herein, be and the same hereby is terminated.

Frank W. Sheaffer, Acting Director, Office of Export Supply.

[F.R. Doc. 60-4695; Filed, May 24, 1960; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service TRI-STATE AUCTION ET AL.

Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the Tri-State Auction, Strasburg, Colorado, originally posted on December 21, 1959, as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), and the Wayne County Livestock Market,

Jesup, Georgia, originally posted on May 14, 1959, as being subject to said act, no longer come within the definition of a stockyard under the act for the reason that they are no longer being conducted or operated as public markets, and are, therefore, no longer subject to the provisions of the act.

Notice or other public procedure has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impracticable and contrary to the public interest. There is no legal warrant or justification for not deposting promptly a stockyard which is no longer within the definition of that term contained in said act.

The foregoing is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C., this 19th day of May 1960.

DONALD L. BOWMAN, Chief, Packers and Stockyards Branch, Livestock Division, Agricultural Marketing Service.

[F.R. Doc. 60-4703; Filed, May 24, 1960; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 10038]

BONANZA AIR LINES, INC., TEM-PORARY POINTS CASE

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be held on June 1, 1960, at 10:00 a.m. e.d.s.t., in Room 1027, Universal Building, Florida and Connecticut Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., May 20, 1960.

[SEAL]

Francis W. Brown, Chief Examiner.

[F.R. Doc. 60-4705; Filed, May 24, 1960; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11866; FCC 60-584]

ALLOCATION OF FREQUENCIES IN THE BANDS ABOVE 890 Mc.

Order Reopening Record

At a session of the Federal Communications Commission held at its offices in Washington, D.C., this 18th day of May 1960:

The Commission, having under consideration (1) its Report and Order in this proceeding released August 6, 1959; (2) the requests of American Telephone and Telegraph Company and General Telephone Service Corporation, filed in connection with their petitions for reconsideration and rehearing in this matter, that the Commission reopen the record for the purpose of obtaining information as to the frequency needs for space communications; and (3) the pleadings in this matter which were filed in opposition to such petitions for reconsideration and rehearing;

It appearing that, subsequent to the closing of the record in this proceeding on November 15, 1957, developments in space communications have occurred which indicate the desirability of bringing up to date, so far as may be practicable, the record in Docket No. 11866 concerning frequency requirements for space communications; and

It further appearing that the public interest considerations involving the orderly, efficient and expeditious disposition of this matter require that this proceeding be concluded as promptly as possible; that the data to be obtained herein be furnished within the time limits specified below; that extensions of time beyond those indicated below for furnishing such information in this Docket shall not be granted; that an additional and separate Notice of Inquiry be adopted simultaneously herewith for the purpose of developing future data and-information as to space communications needs; and that any data or information which cannot be furnished in the instant Docket No. 11866 within the time limits specified herein may be filed and will be considered in connection with the Notice of Inquiry proceeding mentioned above:

It is ordered, That the above-described requests for reopening of the record are granted to the extent indicated below, and that such action is taken without prejudice to any action which the Commission may take on the pending petitions for reconsideration and other pleadings filed herein; and

It is further ordered, That the record in this proceeding is reopened for the limited and specific purpose of receiving such factual data and information as to frequency needs for space communications as are now available or which may become available within the time limit set forth in the attached Appendix; and that interested parties, including agencies of the United States Government, who desire to furnish such information may do so by filing statements of evidence and exhibits relating thereto as provided below.

Released: May 20, 1960.

FEDERAL COMMUNICATIONS
COMMISSION

[SEAL] BEN F. WAPLE,
Acting Secretary.

DOCKET NO. 11866 PROCEEDING CONCERNING FREQUENCY NEEDS FOR SPACE COMMUNICA-TIONS IN THE BANDS ABOVE 890 MC AND PROCEDURES APPLICABLE THERETO

The Commission has determined that the procedures set forth below will be followed by parties who file statements of evidence as to the frequency needs for space and

earth-space communications in this proceeding.

Parties desiring to furnish evidence in this matter shall submit a notarized original and 20 copies of their statements of evidence and all exhibits relating thereto on or before July 8, 1960. Parties who file such state-ments will be afforded an opportunity to present an oral summary of such statement, provided that a request therefor is made in connection with the statement of evidence. However, a witness should be made available by each party for questioning by the Commission and its staff, if requested. Oral presentation of such statements will be held on July 18, 1960, before the Commission en banc, and will be limited to a summary presentation of the written statements and exhibits, and shall not exceed 15 minutes for each such witness. Copies of such statements of evidence and exhibits will be available for inspection in the Commission's Public Reference Room.

The choice of witness or witnesses to be called for oral testimony and cross-examination will be made solely by the Commission, and the Commission may call for cross-examination parties, other than federal Government agencies, who have filed written statements but who did not indicate a desire to present oral testimony. All cross-examination will be conducted by the Commission and its staff, but an opportunity will be afforded to the parties to suggest questions for cross examination.

The statements of evidence submitted by parties in this proceeding should be responsive to the matters set forth below. Current and specific factual data should be furnished in response to each such item.

1. The nature and extent of any experiments which have been conducted involving utilization of frequencies for space communications of various kinds.

- 2. What segments of the radio spectrum are now known to be required for the various space communications functions to be performed, e.g., earth-space-earth, space-space, telemetry, tracking, guidance, command, etc.? How much spectrum space is required for each such function? At what point of time will access to these bands be required for each such function? Does each function require the same degree of protection from interference?
- 3. Whether frequencies used for space communications can or should be shared with other services
 - a. In the case of passive relays?
- b. In the case of active relays?
- c. In the case of other space systems and functions?
- 4. Present plans of non-government entities for launching either active or passive communication satellites.
- 5. If no plans for active satellites, by what means would access to active relay satellites be achieved for non-Government communication use?
- 6. Whether separate frequency allocations are required for Government and non-Government space communications or whether such allocations should be made jointly.
- 7. Whether the receiving sites for space communications systems will be generally distributed throughout the United States or limited to specific areas thereof.
- 8. The purposes to be served by space communications which are not met by other communications systems.

[F.R. Doc. 60-4707; Filed, May 24, 1960; 8:48 a.m.]

[Docket No. 13522; FCC 60-585]

ALLOCATION OF FREQUENCY BANDS FOR SPACE COMMUNICATIONS

Notice of Inquiry

1. The Commission considered the radio frequency requirements for space

and earth-space communications in connection with the preparation of United States proposals for the International Telecommunications Union Administrative Radio Conference held in Geneva, Switzerland, August 17 to December 21, 1959. The U.S. made specific proposals which provided for the functional communication aspects of satellite operations such as tracking, telemetry, guidance and command, but no provision was included for the relay of communications traffic.

- 2. The Geneva Conference (1959) adopted to a limited degree the space proposals advanced by the United States but appended a footnote to each of the bands allocated which limited its use to research purposes only. It was generally agreed at the Conference that too little was known about the potential requirements for space communications to warrant specific allocations for that service at this time. It was, however, recognized that an actual need for space communications might develop prior to 1965, the time tentatively scheduled for the next Administrative Radio Conference. With this in mind, the Conference adopted Recommendation No. 35 relating to the convening of an Extraordinary Administrative Radio Conference to allocate frequency bands for space radiocommunications purposes as follows:
- 1. That an Extraordinary Administrative Radio Conference be convened, in principle during the latter part of 1963, with a duration of approximately one month and with an agenda which should include the following basic items:
- 1.1. To examine the technical progress in the use of radio communication for space research and the results of technical studies by the C.C.I.R. and other interested organizations:
- 1.2. To decide, in the light of this examination, on the allocation of frequency bands essential for the various categories of space radiocommunication;
- 1.3. To consider whether there is a continuing need for the allocation of certain frequencies for space research purposes and, if so, to take appropriate action in this regard:
- 1.4. To adopt, if such action is considered desirable, new provisions revising the Radio Regulations to provide for the identification and control of radio emissions from space vehicles, taking into account possible Recommendations of the C.C.I.R.;
- 2. That the Administrative Council review the situation during its 1962 and 1963 ordinary sessions on the basis of information received from Members and Associate Members of the Union, the C.C.I.R. and other interested organizations. Should the Administrative Council decide that there is sufficient justification for the convening of the Extraordinary Administrative Radio Conference in 1963, it shall recommend to Members and Associate Members of the Union the date and place for the Conference and its Agenda;

and invites

those Members and Asoociate Members of the Union which launch satellites during the period of space research before the convening of the Extraordinary Administrative Radio Conference referred to above, to keep the Administrative Council, and the relevant technical organs of the Union, informed of the frequencies used and the technical progress achieved in the use of radiocommunication for space research purposes.

- 3. The International Radio Consultative Committee (C.C.I.R.) is scheduled to convene its Plenary Assembly in New Delhi, India, in October 1962. The terms of reference of Study Group IV of the C.C.I.R. are to study technical questions regarding systems of telecommunication with and between locations in space.
- 4. In view of the expected rapid developments in space communications, it is appropriate for the Commission to initiate a general inquiry concerning the needs of frequency bands for space communications. The complex nature of this subject and the imminence of the international conferences referred to above make it imperative for the Commission to initiate a proceeding to obtain such technical information and assistance as might become available before these conferences. Accordingly, there is instituted herewith, pursuant to the provisions of section 403 of the Communications Act of 1934, as amended, an inquiry into the matters set forth in the specific issues appended hereto. Persons responding to this inquiry shall furnish their initial reports to the Commission on or before March 1, 1961. Fifteen copies of each response must be filed as required by § 1.54 of the Commission's rules and regulations. Subsequent reports may be filed upon dates to be specified by subsequent orders of this Commission. The Commission may also take into account in this proceeding, pertinent comments filed in response to its Order adopted this date in Docket No. 11866.

Adopted: May 18, 1960. Released: May 20, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

Statements and data submitted by parties to this proceeding should be responsive to the matters set forth below:

- 1. The nature and extent of experiments which have been conducted or are now in progress involving utilization of frequencies for space communications of various kinds.
- 2. What segments of the radio spectrum are required for the various space communications functions to be performed, e.g., earth-space-earth, space-space, telemetry, tracking, guidance, command, etc.? How much spectrum space is required for each such function? At what point in time will access to these bands be required for each such function? Does each function require the same degree of protection from interference?
- 3. Can, or should, frequencies used for space communications be shared with other services.
 - a. In the case of passive relays?
 - b. In the case of active relays?
- c. In the case of other space systems and functions?
- 4. Do non-Government entities plan to launch either active or passive communication satellites?
- 5. If non-Government entities have no plans for launching active communication satellites, by what means would access to active relay satellites be achieved for non-Government communications?
- 6. Should there be separate or shared frequency allocations for Government and non-Government space communications?
- 7. Will the receiving sites for space communications systems be generally distributed throughout the United States or limited to specific areas?

8. The purposes to be served by space communications which are not met by other communications systems.

[F.R. Doc. 60-4709; Filed, May 24, 1960; 8:48 a.m.]

STATEMENT OF ORGANIZATION, DELEGATIONS OF AUTHORITY, AND OTHER INFORMATION

In the matter of amendment of the Commission's Statement of Organization, Delegations of Authority, and Other Information for the purpose of making editorial changes therein.

The Commission has had under consideration the desirability of making certain editorial changes in its Statement of Organization, Delegations of Authority, and Other Information.

The purpose of the amendments adopted herein is to simplify and clarify the sections amended and to correct obsolete references. In section 0.224(e)-(b) (6) as amended—the word "with-out" has been changed to "with" to correct an obvious error. In section 0.231, paragraph (d) has been added to conform that section with section 0.222(a).

It appearing that the amendments adopted herein pertain to Commission management and organization, practice and procedure, and that such amendments are editorial in nature, and hence that compliance with the public notice, procedural, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary; and

It further appearing that the Amendments adopted herein are issued pursuant to authority contained in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and section 0.341(a) of the Commission's Statement of Organization, Delegations of Authority and Other Information;

It is ordered, This 20th day of May 1960, that effective May 27, 1960, the Commission's Statement of Organization. Delegations of Authority, and Other Information is amended as set forth

Released: May 20, 1960.

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE, Acting Secretary.

1. Section 0.224 is amended to read as follows:

SEC. 0.224 Authority delegated. (a) The Chief Hearing Examiner shall act on the following matters:

(1) Initial specifications of the time and place of hearings to be conducted by hearing examiners where not otherwise specified by the Commission and excepting actions under authority delegated by section 0.255.

(2) Designation of the hearing examiner to preside at the hearing.
(3) In the absence of the hearing exam-

iner who has been designated to preside in a proceeding, to discharge the hearing examiner's functions delegated to him under section 0.231.

(b) After a case has been designated for hearing and until the hearing examiner has issued an initial decision or the record has been certified to the Commission for decision,

the Chief Hearing Examiner shall act on the following matters:

 Petitions to intervene.
 Petitions filed by applicant requesting that its application or the proceeding thereon be dismissed.

(3) Dismissal of cease and desist, suspension, revocation, and protest proceedings.
(4) Requests for leave to file additional

pleadings provided for in § 1.13 of the Commission's rules, and pleadings in excess of the length specified in § 1.51 of the Commission's rules.

(5) Petitions of applicants requesting permission to file written appearances beyond expiration of the 20 day period provided for in § 1.140(c) of the Commission's rules.

(6) Dismissal of applications with prej-udice in accordance with the provisions of § 1.140(c) of the commission's rules.

(7) Petitions requesting first change of place of hearing where hearing is scheduled to begin in the District of Columbia.

2. Section 0.231 is amended to read as follows:

SEC. 0.231 Authority delegated. After a hearing examiner has been designated to preside at a hearing and until he has issued an initial decision or certified the record to the Commission for decision, or the proceeding has been transferred to another hearing examiner, all motions, petitions and other pleadings shall be acted upon by such hearing examiner, except the following:

(a) Those requesting final disposition of

any case on its merits.

(b) Those having the nature of an appeal to the Commission en banc.

(c) Those changing the issues upon which the hearing was ordered.

(d) Those requesting change or modification of a final order made by the Commission.

(e) Those which are to be acted upon by the Chief Hearing Examiner under section 0.224(b).

3. Section 0.256 is amended to read as follows:

SEC. 0.256 Authority concerning tariff regulations. The Chief of the Common Carrier Bureau is delegated authority to act upon all matters arising in connection with the administration of tariff regulations promulgated by the Commission pursuant to section 203 of the Communications Act, and, in connection with the administration of that section insofar as it relates to the modification of requirements thereof or made pursuant thereto, as authorized in particular instances by subsection (b) thereof, and to the rejection of tariffs as authorized by subsection (d) thereof.

4. Section 0.291(b)(3) is amended to read as follows:

SEC. 0.291 Matters delegated.

(b) * * *

(3) Requests for withdrawal of papers in accordance with § 1.14 of the Commission's

5. Section 0.293 is amended to read as

SEC. 0.293 Record of actions taken. The history card pertaining to a certain station is designated to be the official record of the action taken by the Chief, Safety and Special Radio Services Bureau, in pursuance of the authority delegated to him in sections 0.291 and 0.292, or jointly to him and the Chief of the Common Carrier Bureau (section 0.259). In cases where no history card is prepared, the application and authorization file pertaining to the station in question is designated to be the official record of the action taken by the Chief of the Bureau, or by him jointly with the Chief of the Common Carrier Bureau. The authorizations issued

by the Chief, Safety and Special Radio Services Bureau, shall bear the seal of the Commission and the signature of the Secretary.

6. Section 0.332(b) is amended to read as follows:

SEC. 0.332 Authority delegated to the Chief Engineer upon securing concurrence of the General Counsel.

(b) All requests for withdrawal of papers in accordance with § 1.14 of the Commission's rules.

7. Section 0.333 is amended to read as follows:

Sec. 0.333 Authority to issue orders; record of actions taken. In matters pertaining to authority granted in sections 0.331 and 0.332, the Chief Engineer is authorized to make orders in letter form for the signature of the Secretary of the Commission. application and authorization files and other appropriate files of the Office of the Chief Engineer are designated as the official minute entries of action taken pursuant to the aforesaid delegated authority. The authorization issued by the Office of the Chief Engineer in accordance with its assigned functions and the delegations of authority shall bear the signature of the Secretary of the Commission.

8. Section 0.406(f) is amended to read as follows:

SEC. 0.406 Inspection of record.

(f) For provisions relating to inspection of files relating to Presidential licenses for submarine cables, see § 1.455 of the Commission's rules.

[F.R. Doc. 60-4710; Filed, May 24, 1960; 8:48 a.m.]

IFCC 60-5481

STATEMENT OF ORGANIZATION, DELEGATIONS OF AUTHORITY, AND OTHER INFORMATION

Order

In the matter of amendment of Part -Statement of Organization, Delegations of Authority and other Information: to establish the Complaints and Compliance Division of the Broadcast Bureau.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 12th day of May 1960.

The Commission having under consideration the establishment of the Complaints and Compliance Division of the Broadcast Bureau; and

It appearing that the amendments adopted herein would promote greater efficiency and effectiveness in Commission operations; and

It further appearing that the amendments adopted herein are procedural in nature, and, therefore, compliance with the public notice and rule making procedures, required by sections 4(a) and (b) of the Administrative Procedure Act is not required;

It is ordered. That, effective June 1, 1960, and pursuant to sections 4(f) and (i) and 5(b) of the Communications Act of 1934, as amended, the Complaints and Compliance Division of the Broadcast Bureau is established.

It is further ordered, That the Complaints and Compliance Division shall be

under the direction of a Chief, who, under the supervision and direction of the Chief of the Bureau, shall be responsible for the performance of all functions of the Broadcast Bureau relating to the handling of complaints concerning the conduct of radio and television broadcast operations and compliance with statutes, international agreements, and policies and rules of the Commission, except insofar as functions are specifically delegated to other bureaus or staff offices of the Commission.

It is further ordered, That, effective June 1, 1960, the Compliance Branch of the Renewal and Transfer Division of the Broadcast Bureau is abolished; and that, effective June 1, 1960, appropriate reassignments of personnel and functions be made.

It is further ordered. That pursuant to sections 4 (f) and (i) and 5(b) of the Communications Act of 1934, as amended, Part O of the Commission's rules and regulations is amended, effective June 1, 1960, as set out below.

Released: May 20, 1960.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] BEN F. WAPLE, Acting Secretary.

- 1. Section 0.11 is redesignated as section 0.10.
- 2. Section 0.12 is redesignated as section 0.11 and amended by changing the reference therein from "section 0.11" to "section 0.10". 3. Section 0.13 is redesignated as section

0.12 and amended to read:

SEC. 0.12 Units in the Bureau. The Broadcast Bureau is divided into the following units

- The Office of the Chief of Bureau.
- (b) Broadcast Facilities Division.
- (c) Renewal and Transfer Division. (d) Rules and Standards Division.
- (e) Economics Division.
- (f) License Division.
- (g) Office of Network Study.
- (h) Hearing Division.
- (i) Complaints and Compliance Division.
- 4. Section 0.14 is redesignated as section 0.13 and amended to read:

SEC. 0.13 Broadcast Facilities Division. The Broadcast Facilities Division is responsible for all functions indicated in the statement contained in section 0.10 insofar as such functions pertain to standard (AM), FM, television, international, experimental, and auxiliary broadcast services, excluding functions stated in sections 0.14, 0.15, 0.16 and 0.20.

5. Section 0.15 is redesignated as section 0.14 and amended to read:

SEC. 0.14. Renewal and Transfer Division. The Renewal and Transfer Division is responsible for all functions indicated in the statement contained in section 0.10, insofar as such functions pertain to applications for the renewal of license, transfer of control and assignment of license or construction

- 6. Section 0.16 is redesignated as section 0.15 and amended by changing the reference therein from "section 0.11" to "section 0.10".
- 7. Section 0.17 is redesignated as section 0.16 and amended by changing the reference therein from "section 0.11" to "section 0.10".
- 8. Sections 0.18, 0.19 and 0.20 are redesignated as sections 0.17, 0.18, and 0.19, respectively.
 - 9. New section 0.20 is added as follows:

SEC. 0.20 Complaints and Compliance The Complaints and Compliance Division is responsible for all functions indicated in the statement contained in section 0.10, insofar as such functions pertain to complaints concerning the conduct of radio and television broadcast operations and compliance with statutes, international agreements, and policies and rules of the Commission, except insofar as functions are specifically delegated to other bureaus and staff offices of the Commission.

F.R. Doc. 60-4711; Filed, May 24, 1960; 8:48 a.m.]

[Docket No. 12931; FCC 60-564]

CARTER MOUNTAIN TRANSMISSION CORP.

Memorandum Opinion and Order **Designating Application for Hear**ing on Stated Issues

In re application of Carter Mountain Transmission Corporation, Cody, Wyo-ming, Docket No. 12931, File No. 2463-C1-P-58: for construction permit to install an additional transmitter, to transmit on frequency 6387.5 Mc. Location: Copper Mountain, 40 miles south of Worland, Wyoming.

- 1. The Commission has under consideration (a) the above-captioned application for construction permit for microwave relay facilities and grant thereof announced in Public Notice, April 27, 1959 (Report No. 474, Mimeo No. 27759); (b) Protest and Petition for Reconsideration, filed by Chief Washakie TV (KWRB-TV), May 27, 1959; (c) Opposition to Protest and Petition for Reconsideration, filed by Carter Mountain Transmission Corporation, June 8, 1959; (d) Reply to Opposition, filed by Chief Washakie TV (KWRB-TV), June 11, 1959; (e) Memorandum Opinion and Order [for argument on demurrer], June 29, 1959 (24 F.R. 5402); (f) Brief of Carter Mountain Transmission Corporation, filed July 14, 1959; (g) Brief of Common Carrier Bureau, filed July 14, 1959; (h) Reply Brief of Chief Washakie TV (KWRB-TV), filed July 20, 1959; (i) Transcript of Oral Argument, July 24. 1959.
- 2. After consideration of the pleadings and other documents herein and hearing oral argument, the Commission is of the opinion that an evidentiary hearing is warranted.
- 3. Concerning the proposed issues denominated by Protestant as 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 15, and 16, the Commission is of the opinion that said issues are comprehended within those hereinbelow set forth. Concerning proposed Issues, 4. to the extent that such requested issue involves consent, and 12, the Commission believes said issues to be inappropriate as it is evident from the application herein that consent neither has been nor will be sought. Further, the remainder of proposed Issue 12 has been adequately discussed at 26 FCC 433-34 and, pending the adjudication of a property right in the signal, we cannot adopt an issue which postulates such. Likewise, as to proposed Issues 13 and 14, there is no assurance that the legislature will grant the power therein described or when it will do so and a proceeding cannot be

delayed indefinitely pending such legislation. Insofar as the remainder of proposed Issue 4 is concerned, the Commission is unable to discern any relevancy or materiality to the subject of this protest.

Accordingly, it is ordered, This 18th day of May 1960, that the Protest and Petition for Reconsideration, filed by Chief Washakie TV (KWRB-TV) is granted to the extent herein provided, and denied in all other respects; and that pursuant to the provisions of section 309(c) of the Communications Act of 1934, as amended, a hearing be held herein in the offices of the Commission in Washington, D.C., at a time and date to be hereafter announced on the following issues:

(1) To determine the areas and populations now served by Station KWRB-TV, Thermopolis, Wyoming, and the nature and type of service provided by said station.

(2) To determine what impact a grant of the aforesaid application will have upon the operation of Station KWRB-TV, Thermopolis, Wyoming, and the resulting injury, if any, to the public now served thereby.

(3) To determine what, if any, degree of common or interlocking ownership exists between Carter Mountain Transmission Corporation and Western TV Corporation, Lander TV Corporation, Riverton TV Corporation, Thermopolis TV Corporation, or any of them.

(4) To determine what, if any, effect such common or interlocking ownership, if such be found, may have upon the common carrier status of Carter Mountain Transmission Corporation.

(5) To determine whether Mountain Transmission Corporation is a bona fide common carrier and eligible for a common carrier microwave facility under Commission Rules and Regulations.

(6) To determine, in the light of evidence adduced and determinations made, whether a grant of the aforesaid application will serve the public interest, con-

venience, or necessity.

And it is further ordered, That Protestant, Chief Washakie TV (KWRB-TV), shall have the burden of proof and the burden of proceeding with the introduction of evidence as to Issues 1. 2. 4. and 5, supra, and the burdens as to the remaining issues shall be upon Carter Mountain Transmission Corporation.

Released: May 20, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

BEN F. WAPLE. SEAL Acting Secretary.

[F.R. Doc. 60-4712; Filed, May 24, 1960; 8:49 a.m.]

[Docket Nos. 12925-12927; FCC 60-562]

EAST TEXAS TRANSMISSION CO.

Memorandum Opinion and Order **Designating Applications for Hear**ing on Stated Issues

In re applications of East Texas Transmission Company, Tyler, Texas, for construction permit for new fixed video

Frequencies: 5937.5. radio station. 6037.5, 6137.5 and 6237.5 Mc. Location: Hwy No. 429, 0.6 miles SW of College Mound, Texas, Docket No. 12925, File No. 2007-C1-P-58; for construction permit for new fixed video radio station. Frequencies: 5987.5, 6087.5, 6187.5 and 6287.5 Mc. Location 1.3 miles NW of Colfax, Texas, Docket No. 12926, File No. 2008-C1-P-58; for construction permit for new fixed video radio station. Frequencies: 5937.5, 6037.5, 6137.5 and 6237.5 Mc. Location: North Glenwood Blvd. and West Cloud St., Tyler, Texas, Docket No. 12927, File. No. 2007-C1-P-58.

1. The Commission has under consideration (a) the above-captioned applications for construction permits for microwave relay facilities and grants thereof announced in Public Notice, May 4, 1959. (Report No. 475, Mimeo No. 72912); (b) Protest and Petition for Reconsideration, filed by The Channel 7 Company, June 1, 1959; (c) Opposition to Protest and Petition for Reconsideration, filed by East Texas Transmission Company, June 11, 1959; (d) Reply to Opposition, filed by The Channel 7 Company, June 15, 1959; (e) Memorandum Opinion and Order [for argument on demurrer], June 30, 1959 (24 F.R. 5429); (f) Brief of East Texas Transmission Company, filed July 14, 1959; (g) Brief of Chief, Common Carrier Bureau, filed July 14, 1959; (h) Reply Brief of The Channel 7 Company, filed July 20, 1959; (i) Transcript of Oral Argument, July 24, 1959.

2. After consideration of the pleadings and other documents herein and hearing oral argument, the Comission is of the opinion that an evidentiary hearing is warranted.

3. Concerning the proposed issues denominated by Protestant as 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 15, and 16, the Commission is of the opinion that the said issues are comprehended within those hereinbelow set forth. Concerning proposed Issue 3, the Commission deems it irrelevant. Concerning proposed Issue 12, the Commission believes said issue to be inappropriate as it is evident from the application herein that consent neither has been nor will be sought. Further, the remainder of the proposed issue has been adequately discussed at 26 FCC 433-34 and, pending the adjudication of a property right in the signal, we cannot adopt an issue which postulates such. Likewise, as to proposed Issues 13 and 14, there is no assurance that the legislature will grant the power therein described or when it will do so and a proceeding cannot be delayed indefinitely pending such legislation.

Accordingly, it is ordered, This 18th day of May 1960, that the Protest and Petition of The Channel 7 Company is granted to the extent herein provided, and denied in all other respects; and that pursuant to the provisions of section 309(c) of the Communications Act of 1934, as amended, a hearing be held herein in the offices of the Commission in Washington, D.C., at a time and date to be hereafter announced on the following issues:

(1) To determine the areas and populations now served by Station KLTV, Tyler, Texas, and the nature and type of service provided by said station.

(2) To determine what impact a grant of the aforesaid application will have upon the operation of Station KLTV, Tyler, Texas, and the resulting injury, if any, to the public now served thereby.

(3) To determine what, if any, degree of common or interlocking ownership exists between Television Cable Service, Incorporated, and East Texas Transmission Company.

(4) To determine what, if any, effect such common or interlocking ownership, if such be found, may have upon the common carrier status of East Texas Transmission Company.

(5) To determine whether East Texas Transmission Company is a bona fide common carrier and eligible for a common carrier microwave facility under Commission Rules and Regulations.

(6) To determine in the light of evidence adduced and determinations made, whether a grant of the aforesaid application will serve the public interest, convenience, or necessity.

And it is further ordered, That Protestant, The Channel 7 Company, shall have the burden of proof and the burden of proceeding with the introduction of evidence as to Issues 1, 2, and 4, supra, and the burdens as to the remaining issues shall be upon East Texas Transmission Company.

Released: May 20, 1960.

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE.

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4713; Filed, May 24, 1960; 8:49 a.m.]

[Docket Nos. 12922-12924; FCC 60-561]

MESA MICROWAVE, INC.

Memorandum Opinion and Order Designating Applications for Hearing on Stated Issues

In re applications of Mesa Microwave. Inc., Oklahoma City, Oklahoma, for construction permit for new fixed video radio station. Frequencies: 6012.5, 6112.5 and 6212.5 Mc. Location: 10 miles NW. of Lake City, Florida, Docket No. 12922, File No. 2681-C1-P-58; for construction permit for new fixed video radio station. Frequencies: 6067.5, 6167.5 and 6267.5 Mc. Location: 6 miles east of Madison, Florida, Docket No. 12923, File No. 2682-C1-P-58; for construction permit for new fixed video radio station. Frequencies: 6012.5, 6112.5 and 6212.5 Mc. Location: 2.5 miles south of Monticello. Florida, Docket No. 12924, File No. 2683-C1-P-58.

1. The Commission has under consideration (a) the above-captioned applications for construction permits for microwave relay facilities and grants thereof announced in Public Notice, May 4, 1959, (Report No. 475, Mimeo No. 72912); (b) Protest and Petition for Reconsideration, filed by John H. Phipps, May 27, 1959; (c) Opposition to Protest and Petition

for Reconsideration, filed by Mesa Microwave, Inc., June 8, 1959; (d) Reply to Opposition, filed by John H. Phipps, June 11, 1959; (e) Memorandum Opinion and Order [for argument on demurrer], June 29, 1959 (24 F.R. 5398); (f) Brief of Mesa Microwave, Inc., filed July 14, 1959; (g) Brief of Chief, Common Carrier Bureau, filed July 14, 1959; (h) Reply Brief of John H. Phipps, filed July 20, 1959; (i) Transcript of Oral Argument, July 24, 1959.

2. After consideration of the pleadings and other documents herein and hearing oral argument, the Commission is of the opinion that an evidentiary hearing is warranted.

3. Concerning the proposed issues denominated by protestant as 1, 2, 3, 4, 5, 6, 7, 8, 12, and 13, the Commission is of the opinion that said issues are comprehended within those herein below set forth. Concerning proposed Issue 9, the Commission believes said issue to be inappropriate as it is evident from the application herein that consent neither has been nor will be sought. Further, the remainder of the proposed issue has been adequately discussed at 26 FCC 433-34 and, pending the adjudication of a property right in the signal, we cannot adopt an issue which postulates such. Likewise, as to proposed Issues 10 and 11, there is no assurance that the legislature will grant the power therein described or when it will do so and a proceeding cannot be delayed indefinitely pending such legislation.

Accordingly, it is ordered, This 18th day of May 1960, that the Protest and Petition of John H. Phipps is granted to the extent herein provided, and denied in all other respects; and that pursuant to the provisions of section 309(c) of the Communications Act of 1934, as amended, a hearing be held herein in the offices of the Commission in Washington, D.C., at a time and date to be hereafter announced on the following issues.

(1) To determine the areas and populations now served by Station WCTV, Thomasville, Georgia, and the nature and type of service provided by said station

(2) To determine what impact a grant of the aforesaid application will have upon the operation of Station WCTV, Thomasville, Georgia, and the resulting injury, if any, to the public now served thereby.

(3) To determine what, if any, degree of common or interlocking ownership exists between Vumore Company and Mesa Microwave, Incorporated.

(4) To determine what, if any, effect such common or interlocking ownership, if such be found, may have upon the common carrier status of Mesa Microwave, Incorporated.

(5) To determine whether Mesa Microwave, Incorporated, is a bona fide common carrier and eligible for a common carrier microwave facility under Commission Rules and Regulations.

(6) To determine, in the light of the evidence adduced and determinations made, whether a grant of the aforesaid application will serve the public interest, convenience, or necessity.

And it is further ordered, That Protestant, John H. Phipps, shall have the burden of proof and the burden of proceeding with the introduction of evidence as to Issues 1, 2, and 4, supra, and the burdens as to the remaining issues shall be upon Mesa Microwave, Inc.

Released: May 20, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

BEN F. WAPLE, [SEAL] Acting Secretary.

[F.R. Doc. 60-4714; Filed, May 24, 1960; 8:49 a.m.]

[Docket Nos. 12928-12930; FCC 60-563]

MESA MICROWAVE, INC.

Memorandum Opinion and Order **Designating Applications for Hear**ing on Stated Issues

In re applications Mesa Microwave, Inc., Oklahoma City, Oklahoma, for construction permit for new fixed video 6012.5, radio station. Frequencies: 6112.5 and 6212.5 Mc. Location: Miquel, 15 miles east of Pearsall, Texas, Docket No. 12928, File No. 2177-C1-P-58; for construction permit for new fixed video radio station. Frequencies: 6067.5, 6167.5 and 6267.5 Mc. Location: 7 miles east of Cotulla, Texas, Docket No. 12929, File No. 2178-C1-P-58; for construction permit for new fixed video radio station. Frequencies: 6012.5, 6112.5 and 6212.5 Mc. Location: Hilltop, 12 miles west of Encinal, Texas, Docket No. 12930, File No. 2179-C1-P-58.

- 1. The Commission has under consideration (a) the above-captioned applications for construction permits for microwave relay facilties and grants thereof announced in Public Notice, April 27, 1959 (Report No. 474, Mimeo No. 72759); (b) Protest and Petition for Reconsideration, filed by Southwestern Operating Company, May 27, 1959; (c) Opposition to Protest and Petition for Reconsideration, filed by Mesa Microwave, Inc., June 8, 1959; (d) Reply to Opposition, filed by Southwestern Operating Company, June 15, 1959; (e) Memorandum Opinion and Order [for argument on demurrer], June 30, 1959 (24 F.R. 5400); (f) Brief of Mesa Microwave, Inc., filed July 14, 1959; (g) Brief of Chief, Common Carrier Bureau, filed July 14, 1959; (h) Brief of Southwestern Operating Company, filed July 14, 1959; (i) Transcript of Oral Argument, July 24, 1959.
- 2. After consideration of the pleadings and other documents herein and hearing oral argument, the Commission is of the opinion that an evidentiary hearing is warranted.
- 3. Concerning the proposed issues denominated by Protestant as 1 and 4, the Commission is of the opinion that said issues are comprehended within those hereinbelow set forth. Concerning proposed Issue 2, the Commission fails to discern any pleaded facts which, if proven, would indicate that Mesa Microwave, Inc. is not and does not propose to be a communications common carrier. Concerning proposed Issue 3, the Com-

mission believes said issue to be inappropriate as it is evident from the application herein that consent neither has been nor will be sought. Further, the remainder of the proposed issue has been adequately discussed at 26 FCC 433-34 and, pending the adjudication of a property right in the signal, we cannot adopt an issue which postulates such. Likewise, there is no assurance that the legislature will grant the power therein described or when it will do so and a proceeding cannot be delayed indefinitely pending such legislation.

Accordingly, it is ordered, This 18th day of May 1960, that the Protest and Petition for Reconsideration, filed May 27, 1959, by Southwestern Operating Company is granted to the extent herein provided, and denied in all other respects; and that pursuant to the provisions of section 309(c) of the Communications Act of 1934, as amended, a hearing be held herein in the offices of the Commission in Washington, D.C., at a time and date to be hereafter announced on the following issues:

(1) To determine the areas and populations now served by Station KGNS-TV, Laredo, Texas, the nature and type of service provided by said station, and the availability of other television service to such areas and populations.

(2) To determine what impact a grant of the aforesaid application will have upon the operation of Station KGNS-TV, Laredo, Texas, and the resulting injury, if any, to the public now served thereby.

(3) To determine, in the light of evidence adduced and determinations made, whether a grant of the aforesaid application will serve public interest, convenience or necessity.

And it is further ordered. That Protestant, Southwestern Operating Company, shall have the burden of proof and the burden of proceeding with the introduction of evidence as to Issues 1 and 2. supra, and the burdens as to Issue 3, supra, shall be upon Mesa Microwave,

Released: May 20, 1960. •

FEDERAL COMMUNICATIONS COMMISSION, [SEAL] BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 60-4715; Filed, May 24, 1960; 8:49 a.m.]

[Docket No. 12932; FCC 60-565]

MONTANA MICROWAVE

Memorandum Opinion and Order **Designating Applications for Hear**ing on Stated Issues

In re applications of James G. Edmiston, d/b as Montana Microwave, Kalispell, Montana, Docket No. 12932, File Nos. 581-C1-MP-58 (KOV-46), 582-C1-P-58 (KPC56), 583-C1-P-58 (KPC57); for construction permits to extend present microwave system from Missoula to Helena, Montana.

1. The Commission has under consideration (a) the above-captioned applications for construction permit for microwave relay facilities and grants thereof announced in Public Notice, January 31, 1958 (Report No. 341, Mimeo No. 55084); (b) Protest and Prayer for Relief, filed by Capital City Television, Inc. (KXLJ-TV), February 28, 1958; (c) Opposition to Protest and Prayer for Relief, filed by Montana Microwave, March 10, 1958; (d) Order [for argument on demurrer], June 30, 1959 (24 FR 5431); (e) Transcript of Oral Argument, July 24, 1959.

2. After consideration of the pleadings and other documents herein and hearing oral argument, the Commission is of the opinion that an evidentiary hearing is

warranted.

3. Concerning the proposed issues denominated by protestant as 1, 2, 3, 7, and 8. the Commission is of the opinion that said issues are comprehended within that hereinbelow set forth. As to proposed Issue 4, an examination of the protest reveals the pleading of only one fact. to wit: that applicant would serve only one customer. This, if proven, would not disprove applicant's being a common carrier. Proposed Issue 4 will be denied. Proposed Issue 5 not only abounds in conclusory language but, in a manner analogous to a leading question, assumes that there is a "preferred competitor" and that there will be "unequal competition", assumptions we are not bound to make. It will be denied. Proposed Issue 6 is unclear as to what is meant by "relationship." The engineering features of the microwave relay and the CATV, we assume, are plain for all to behold. What other meaning protestant ascribes to the term we cannot discern from his pleading. It will be denied.

Accordingly, it is ordered, This 18th day of May 1960, that the Protest and Prayer for Relief of Capital City Television, Inc. (KXLJ-TV) is granted to the extent herein provided, and denied in all other respects; and that pursuant to the provisions of section 309(c) of the Communications Act of 1934, as amended, a hearing be held herein in the offices of the Commission in Washington, D.C., at a time and date to be hereafter announced on the following issues:

(1) To determine what impact a grant of the aforesaid applications will have upon the operation of Station KXLJ-TV. Helena, Montana, and the resulting injury, if any, to the public now served thereby.

(2) To determine, in the light of evidence adduced and determination made, whether a grant of the aforesaid applications will serve the public interest,

convenience, or necessity.

And it is further ordered, That Protestant, Capital City Television, Inc., shall have the burden of proof and the burden of proceeding with the introduction of evidence as to Issue 1, supra, and the burdens as to Issue 2, supra, shall be upon Montana Microwave, Inc.

Released: May 20, 1960.

FEDERAL COMMUNICATIONS COMMISSION, [SEAL] BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 60-4716; Filed, May 24, 1960; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-20579]

COLORADO-WYOMING GAS CO.

Order Amending Order To Permit Substitution of Gas Tariff

MAY 18, 1960.

By order issued December 31, 1959, in the above-entitled proceeding, Colorado-Wyoming Gas Company's (Colorado-Wyoming) proposed revised gas tariff, First Revised Volume No. 1, filed September 30, 1959, and substituted in part on December 22, 1959, was suspended until June 1, 1960, or until such further time as it is made effective in the manner prescribed by the Natural Gas Act. On April 18, 1960, Colorado-Wyoming filed a proposed new gas tariff, also styled First Revised Volume No. 1, which it proposes to substitute for the filing of September 30, as substituted. The proposed substitute gas tariff provides for a reduction in the rate level of the SG-1 Rate Schedule, reductions in the rate levels of both the demand and commodity components of the G-1 Rate Schedule, and revisions in the index of contract demands to reflect changes in the contract delivery obligation.

The Commission finds: Good cause has been shown, as required by § 154.66(b) of the regulations under the Natural Gas Act, to permit the filing of a change in a tariff within the period of suspension.

The Commission orders: Colorado-Wyoming's FPC Gas Tariff, First Revised Volume No. 1, filed April 18, 1960, be and hereby is substituted for its identicallystyled FPC Gas Tariff, First Revised Volume No. 1, filed on September 30, 1959, as substituted in part on December 22, 1959, and as suspended in the order herein issued December 31, 1959. The substituted FPC Gas Tariff shall be subject to the same terms, conditions and limitations as its predecessor gas tariff under said order of December 31, 1959, except that Original Sheet No. 11 thereto, which relates to the sale of gas for resale for industrial use only, shall become effective on June 1, 1960, as proposed.

By the Commission.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-4675; Filed, May 24, 1960; 8:45 a.m.]

[Docket No. E-6936]

GULF STATES UTILITIES CO. Application

MAY 18, 1960.

Take notice that on May 11, 1960, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Gulf States Utilities Company ("Applicant"), a corporation organized under the laws of the State of Texas and doing business in the States of Texas and Louisiana, with its principal business office at Beaumont, Texas, seeking an order authorizing the issuance of \$17,000,000, princi-

pal amount of First Mortgage Bonds __ percent Series due 1990 ("New Bonds"). The New Bonds are to be dated the first day of the month in which such bonds are issued (presently expected to be July 1, 1960) and are to be due thirty years from such date. The interest rate will be set forth in an amendment to the application. The New Bonds will be issued under Applicant's Indenture of Mortgage to The Hanover Bank, Trustee, dated September 1, 1926, as heretofore supplemented and modified by Supplemental Indentures to and including a Nineteenth Supplemental Indenture dated December 1, 1959, and as to be further supplemented by a Twentieth Supplemental Indenture to be dated as of the first day of the month in which the New Bonds are issued. Applicant proposes to issue and sell the New Bonds at competitive bidding. Applicant states that the proceeds from the issuance of the New Bonds will be used initially to reimburse its treasury in part for construction expenditures heretofore made which will enable Applicant to pay in full all of its short-term notes to be outstanding at the date of the issuance of the New Bonds, and to permit Applicant to carry forward its construction program into the fall of this year.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the sixth day of June 1960, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-4676; Filed, May 24, 1960; 8:45 a.m.]

[Docket No. G-19754]

H. L. HUNT ET AL.

Order Permitting Substitution of Five Rate Increase Filings in Existing Suspension Proceeding

MAY 11, 1960.

H. L. Hunt, Lamar Hunt, Lamar Hunt Trust Estate, Nelson Bunker Hunt Trust Estate, William Herbert Hunt Trust Estate, Placid Oil Company (Operator), et al., Docket No. G-19754.

On September 25, 1959, H. L. Hunt tendered a notice of change reflecting a periodic type rate increase of 0.2051¢ per Mcf to 16.0058¢ per Mcf, for gas produced in Liberty Hill and Lucky Fields, Bienville Parish, Louisiana, and sold to Texas Eastern Transmission Corporation (Texas Eastern). Said tender by order issued October 23, 1959, in this proceeeding was designated as Supplement No. 12 to H. L. Hunt's FPC Gas Rate Schedule No. 7 and was suspended until April 1, 1960. Upon proper motion filed March 30, 1960, and by Notice issued April 28, 1960, said supplement was permitted to become effective as of that date, subject to further orders of the Commission in the proceeding in Docket No. G-19754.

As set out in the order issued May 9, 1960, in this proceeding, the five producers from whom H. L. Hunt purchased the gas in Lucky Field, have acquired Hunt's rights under the contract on file as said Rate Schedule No. 7, together with certain pertinent property rights and, together with H. L. Hunt, the five producers were named as Co-Respondents in the proceeding in Docket No. G-19754.

Said five producers have now filed rate schedules to cover their acquired interests and these were accepted by letters dated March 24, 1960. On April 11 and 14, 1960, the five assignees filed undated Notices of Change to reflect the increase in rate set out in Supplement No. 12 to H. L. Hunt's FPC Gas Rate Schedule No. 7 as such pertains to their acquired interest. Such filings are designated as:

- (1) Supplement No. 7 to Lamar Hunt FPC Gas Rate Schedule No. 9;
- (2) Supplement No. 7 to Lamar Hunt Trust Estate FPC Gas Rate Schedule No.
- (3) Supplement No. 7 to Nelson Bunker Hunt Trust Estate FPC Gas Rate Schedule No. 7:
- (4) Supplement No. 7 to William Herbert Hunt Trust Estate, FPC Gas Rate Schedule No. 10; and
- (5) Supplement No. 7 to Placid Oil Company (Operator), et al., FPC Gas Rate Schedule No. 26.

The five aforementioned Supplements No. 7 are considered as submitted in substitution for Supplement No. 12 to H. L. Hunt's FPC Gas Rate Schedule No. 7. It would appear appropriate and in the public interest, therefore, under these facts to accept the filings herein designated in substitution for H. L. Hunt's Supplement No. 12 and that the five filings should be subject to orders heretofore issued and hereinafter issued in the proceeding in Docket No. G-19754 so far and only insofar as such orders pertain to Supplement No. 12 to H. L. Hunt's FPC Gas Rate Schedule No. 7.

As hereinbefore stated, on March 30, 1960, H. L. Hunt tendered a motion to place in effect the rate set out in Supplement No. 12. It would appear appropriate that the assignees, Lamar Hunt, Lamar Hunt Trust Estate, Nelson Bunker Hunt Trust Estate, William Herbert Hunt Trust Estate, and Placid Oil Company (Operator), et al., should submit a joint petition requesting that they be substituted for H. L. Hunt in said motion of March 30, 1960. And further that said five parties submit a joint undertaking to assume refund of any excess revenues found in the proceeding in Docket No. G-19754 as such pertains to the supplements herein accepted.

The Commission further finds: Good cause exists for accepting for filing the supplements herein designated and for permitting said supplements to be effective as of April 1, 1960, Subject, however, to the refund obligations and

¹ Lead Docket No. G-13531.

Lamar Hunt, Lamar Hunt Trust Estate, Nelson Bunker Hunt Trust Estate, William Herbert Hunt Trust Estate, and Placid Oil Company (Operator), et al.

suspension proceeding in Docket No. G-19754.

The Commission orders: Supplements No. 7 to Lamar Hunt's FPC Gas Rate Schedule No. 9, to Lamar Hunt Trust Estate's FPC Gas Rate Schedule No. 8, to Nelson Bunker Hunt Trust Estate's FPC Gas Rate Schedule No. 7, to William Herbert Hunt Trust Estate's FPC Gas Rate Schedule No. 10, and to Placid Oil Company (Operator), et al.'s FPC Gas Rate Schedule No. 26, are hereby accepted for filing to be effective as of April 12, 1960, subject, however, to the refund obligations and the suspension proceeding in Docket No. G-19754.

By the Commission.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-4677; Filed, May 24, 1960; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24C-2033]

HILL-VALENTINE OIL CO., INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

MAY 19, 1960.

- I. Hill-Valentine Oil Company, Inc. (issuer) a South Dakota corporation, Hot Springs, South Dakota, filed with the Commission on May 19, 1958 a notification on Form 1-A and an offering circular relating to a proposed offering of 31,410 shares of its \$1.00 par value common stock at \$1.00 per share for an aggregate of \$31,410 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder. On October 6, 1959, the issuer filed with the Commission a revised offering circular.
- II. The Commission has reasonable cause to believe that:
- A. The terms and conditions of Regulation A have not been complied with in that:
- 1. No report on Form 2-A has been filed as required by Rule 260.
- 2. The statement in the offering circular required by Item 9(d) of Schedule I is not complete in that it fails to disclose the amount of cash expended for property transferred to the issuer by officers, directors and promoters.
- 3. The financial statements in the offering circular have not been prepared in accordance with generally accepted accounting principles and in accordance with Item 11(a) of Schedule I.
- B. The offering circular, as revised, contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The failure to disclose adequately and accurately the shareholdings of officers, directors and promoters.

2. The failure to disclose adequately and accurately the amount of securities to be offered, the aggregate offering price to the public and the amount of expenses of the issuer in connection therewith.

3. The failure to disclose adequately and accurately material transactions between officers, directors and promoters and the issuer.

- 4. The failure to disclose adequately and accurately the past, present and planned business operations of the issuer, particularly with regard to the abandonment of the Mattie Ellis oil and gas lease.
- 5. The statements made under the heading "Geology".
- 6. The failure to include adequate and accurate financial statements, prepared in accordance with generally accepted accounting principles.

C. The offering would be and is being made in violation of section 17 of the Securities Act of 1933, as amended.

III. It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days herefrom; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

[F.R. Doc. 60-4680; Filed, May 24, 1960; 8:46 a.m.]

[File No. 70-3884]

UNION ELECTRIC CO.

Notice of Proposed Issuance and Sale of Short-Term Notes to Banks

MAY 18, 1960.

Notice is hereby given that Union Electric Company ("Union"), a registered holding company and a public-utility company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act as applicable to the proposed trans-

actions. All interested persons are referred to said application for a statement of the proposed transactions which are summarized below.

Under the applicable provisions of section 6(b) of the Act, which exempt from the requirements of section 6(a) thereof the issue and sale of short-term notes of a maturity of not exceeding nine months and in an amount not exceeding 5 percent of the principal amount and par value of its other outstanding securities. Union is at present permitted to incur short-term obligations in the amount of approximately \$21,092,000. Union has requested that the aforesaid 5 percent limitation of section 6(b) be increased to 91/2 percent so as to permit it to issue approximately \$19,000,000 of nine-month notes in excess of the amount it is now permitted to issue and has also requested that such increase remain in effect until January 29, 1961, or such earlier date upon which it shall have consummated permanent financing.

The notes will be dated as of the date each borrowing is made, will mature not later than January 29, 1961, will bear interest at the prime rate effective at the particular time of borrowing, and will be prepayable prior to maturity without premium. No commitment fees are to be paid. The lending banks and the maximum amounts to be borrowed are as follows:

TOMOWS.	
	Maximum
	amount
Mercantile Trust Co. (St. Louis) _	\$6,000,000
First National Bank in St. Louis_	6, 000, 000
The Boatmen's National Bank of	
St. Louis	1,400,000
Bank of St. Louis	1,000,000
Manufacturers Bank & Trust Co.	
of St. Louis	350,000
Chemical Bank New York	
Trust Co	6, 500, 000
Morgan Guaranty Trust Co. of	
New York	5, 000, 000
The Chase Manhattan Bank	4,000,000
The First National City Bank of	
New York	3,500,000
The Hanover Bank	3, 250, 000
Bankers Trust Co	3,000,000
•	40, 000, 000

Included in the amounts listed above are \$16,750,000 of promissory notes that Union had outstanding as of May 2, 1960, and which were held as follows:

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Mercantile Trust Co. (St. Louis) _	\$6,000,000
First National Bank in St. Louis_	6,000,000
The Boatmen's National Bank of	
St. Louis	1,400,000
Bank of St. Louis	1,000,000
Manufacturers Bank & Trust Co.	
of St. Louis	350,000
Chemical Bank New York Trust	
Co	1,000,000
Morgan Guaranty Trust Co. of	
New York	500,000
The First National City Bank of	•
New York	500, 000
-	· · · · · · · · · · · · · · · · · · ·

16, 750,000

Union's estimated cash requirements from external sources from May to October 1960, based on present estimates of construction and other expenditures, amount to \$23,250,000. Construction expenditures for Union and its subsidiaries amounting to approximately \$119,805,-000 are planned during the last three quarters of 1960 and the year 1961.

Union contemplates, subject to Commission approval, to engage in permanent financing prior to December 1, 1960, through the issuance and sale of from \$40,000,000 to \$50,000,000 principal amount of additional first mortgage bonds, the funds to be used to repay its promissory notes and to continue its construction program.

The application states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions and that only nominal expenses are to be incurred.

Notice is further given that any interested person may, not later than June 6. 1960, at 5:30 p.m. request in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-4681; Filed, May 24, 1960; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

[Notice 324]

May 20, 1960.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209 and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings will be called at 9:30 o'clock a.m., United States standard time (or 9:30 o'clock a.m., local daylight saving time), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEAR-ING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 1150 (Sub No. 23), filed May 9, 1960. Applicant: J. B. HEEREN, doing business as HEEREN TRUCKING COMPANY, Lemmon, S. Dak. Applicant's attorney: Franklin J. Van Osdel, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a com-

mon carrier, by motor vehicle, over irregular routes, transporting: Liquefied petroleum gas. in bulk, in tank vehicles, between points in Iowa, Nebraska, Minnesota, North Dakota, and South Dakota.

HEARING: June 20, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Maurice S. Bush.

No. MC 2202 (Sub No. 187), filed May 10, 1960. Applicant: ROADWAY EX-PRESS, INC., 147 Park Street, P.O. Box 471, Akron, Ohio. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle transporting: General commodities, except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Kelsey-Hayes Company plant located at the intersection of Huron River Drive and North Line Highway, Romulus Township, Wayne County, Mich., as an off-route point in connection with applicant's authorized regular route operations to and from Detroit, Mich.

Note: Common control may be involved.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 2605 (Sub No. 3), filed April Applicant: OVERLAND 1960. MOTOR FREIGHT COMPANY, INC., "C" and Cambria Streets, Philadelphia, Pa. Applicant's representative: John H. Derby, 1201 Chestnut Street, Phil-adelphia 7, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods (when transported as a separate and distinct service in connection with so-called "household movings"), commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the plant site of Wyeth Laboratories, Division of American Home Products Corp., at East Whiteland, Chester County, Pa., as an off-route point in connection with applicant's authorized regular route operations between Philadelphia, Pa., and New York, N.Y.

HEARING: July 18, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Leo A. Riegel.

No. MC 7555 (Sub No. 37), filed May 2, 1960. Applicant: TEXTILE MOTOR FREIGHT, INC., Ellerbe, N.C. Applicant's attorney: Guy H. Postell, 805 Peachtree Street Building, Atlanta, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen banana puree, in vehicles equipped with mechanical refrigeration, from Tampa, Fla., to points in New York on and west of U.S. Highway 11.

HEARING: July 1, 1960, at the Offices of the Interstate Commerce Commission,

Washington, D.C., before Examiner James I. Carr.

No. MC 7640 (Sub No. 17), filed April 18, 1960. Applicant: BARNES TRUCK LINE, INC., Herring Avenue, Wilson, N.C. Applicant's attorney: James F. Wilson, Continental Building, 14th at K NW., Washington 5, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber and forest products, namely, boards or sheets made from wood chips, wood shavings, sawdust or ground wood with added liquid resin binder, from Catawba, S.C., and points within five (5) miles thereof, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Vermont, and Virginia, and palletts and stringers, on return.

HEARING: July 25, 1960, at the Charlotte Hotel, Charlotte, N.C., before Examiner Hugh M. Nicholson.

No. MC 8989 (Sub No. 189), filed May 13, 1960. Applicant: HOWARD SOBER. INC., 2400 West St. Joseph Street, Lansing, Mich. Applicant's attorney: Albert F. Beasley, Investment Building, 15th and K Streets NW., Washington 5, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Automobiles, trucks and buses, as described in Ex Parte No. MC-45, Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, in secondary movements, in truckaway service, between points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

Note: Applicant states it holds authority to transport said commodities between points in Maryland, West Virginia, Kentucky, Arkansas, and that part of Texas north of U.S. Highway 80 and east of U.S. Highway 81, among other States, and between points in Tennessee and Virginia, which it claims the right to tack, and that no duplicating authority is sought.

HEARING: June 28, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 8989 (Sub No. 190), filed May 13, 1960. Applicant: HOWARD SOBER, INC., 2400 West St. Joseph Street, Lansing, Mich. Applicant's attorney: Albert F. Beasley, Investment Building, 15th and K Streets NW., Washington 5, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Automobiles, trucks and buses, as described in Ex Parte No. MC 45, Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, in secondary movements, in truckaway service, between points in Illinois, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

Note: Applicant states it is authorized to transport said commodities between points in Illinois, Wisconsin, Missouri, North Dakota, Nebraska, South Dakota, and Iowa, among others, which it claims the right to tack, and that no duplicating authority is sought.

HEARING: June 28, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 8989 (Sub No. 191), filed May 13, 1960. Applicant: HOWARD SOBER. INC., 2400 West St. Joseph Street, Lansing, Mich. Applicant's attorney: Albert F. Beasley, Investment Building, 15th and K Streets NW., Washington 5, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Automobiles, trucks and buses, as described in Ex Parte No. MC 45, Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, in secondary movements, in truckaway service, (1) between points in Maine, Massachusetts, New Hampshire. New York, and Vermont, and (2) between points in Delaware, Maryland, New Jersey and Pennsylvania.

Note: In connection with (1) above applicant states it has authority to transport said commodities between points in New York and Massachusetts, among other states, also between points in New Hampshire and Vermont, which it claims the right to tack, and that no duplicating authority is sought and in connection with (2) above, applicant is authorized to transport said commodities between points in Maryland, Pennsylvania, and New Jersey, and that no duplicating authority is sought.

HEARING: June 28, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 13087 (Sub No. 22), filed April 4, 1960. Applicant: STOCKBERGER TRANSFER & STORAGE, INC., 524 Second Street SW., Mason City, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Animal and poultry feed, in bulk and in bags, from Mason City, Iowa, to points in Wisconsin.

HEARING: July 26, 1960, in Room 401 Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before

Examiner Garland E. Taylor.

No. MC 27970 (Sub No. 35), filed May 9. 1960. Applicant: CHICAGO EXPRESS, INC., Third and Adams Streets, Kearny, Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle. over irregular routes, transporting: General commodities, except those of unusual value, Classes A and B explosives, bullion, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Crawfordsville, Evansville, Fort Wayne, Indianapolis, Lafayette, Richmond, Ind., and the site of the B. F. Goodrich Company plant. Milan Township, Allen County, Ind., approximately 11 to 13 miles from the city limits of Fort Wayne, Ind., on U.S. Highway 24 between County Roads Webster and Garver; Elmira, N.Y.; Cincinnati, Columbus, Dayton, Mansfield, and Massillon, Ohio; Scranton, Pa.; Hartford, Conn.; Baltimore, Md.; and Washington, D.C.; and (2) between points described immediately above, on the one hand, and, on the other, points authorized to be served on the regular routes specified in Section B of Certificate No. MC 27970 issued May 14, 1952. RESTRICTION: Carrier may not combine any of the rights described in the separate paragraphs of the irregular route authority above for the performance of through service under such combination. Service to and from all points east of the Ohio-Pennsylvania State line is restricted to shipments moving to and from points west of the Ohio-Pennsylvania State line.

Note: Applicant states the purpose of the instant application is to amend Paragraphs 1 and 2 of Section C of Certificate No. MC 27970 to read as shown above, subject to the restriction described above. Duplication with present authority to be eliminated.

HEARING: June 13, 1960, at the U.S. Court Rooms, Indianapolis, Ind., before Examiner Charles J. Murphy.

No. MC 41255 (Sub No. 32), filed April 25, 1960. Applicant: GRUBB MOTOR LINES, INC., P.O. Drawer 567, Lexington, N.C. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: New furniture. crated and uncrated as listed in Appendix II to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 273-274, from points in Guilford County, N.C. to points in Florida, Georgia, South Carolina, North Carolina, Virginia, Maryland, District of Columbia, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Massachusetts. Rhode Island, New Hampshire, Vermont, and Maine, and rejected shipments of new furniture as described above on return.

HEARING: July 19, 1960, at the U.S. Court Rooms, Uptown P.O. Building, Raleigh, N.C., before Examiner J. Thomas Schneider.

No. MC 42329 (Sub No. 144), filed May 12, 1960. Applicant: HAYES FREIGHT LINES, INC., P.O. Box 213, Winston-Salem, N.C. Applicant's attorney: Lawson, Commonwealth W. James Building, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle. over irregular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the plant site of the B. F. Goodrich Tire Company, located approximately seven (7) miles east of Fort Wayne, Ind., as an off-route point in connection with applicant's authorized regular route operations to and from Fort Wayne, Ind.

HEARING: June 20, 1960, at the U.S. Court Rooms, Indianapolis, Ind., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 42329 (Sub No. 145), filed May 12, 1960. Applicant: HAYES FREIGHT LINES, INC., P.O. Box 213, Winston-Salem, N.C. Applicant's attorney: James W. Lawson, 1625 K Street, NW.,

Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, serving the plant site of the Kelsey-Hayes Company located at the intersection of North Line Road and Huron River Drive. Romulus Township, Wayne County, Mich., as an off-route point in connection with applicant's authorized regular route operations to and from Detroit. Mich.

HEARING: June 13, 1960, at the U.S. Court Rooms, Indianapolis, Ind., before Joint Board No. 72, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 42487 (Sub No. 452), filed April 4, 1960. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Acids, chemicals, antifreeze compounds and paint and varnish plasticizers, in bulk, in tank vehicles, from points in the Chicago, Ill., Commercial Zone, as defined by the Commission, to points in Colorado and Wyoming, Billings and Sheridan, Mont., Pocatello and Burley, Idaho, and Salt Lake City, Utah.

HEARING: July 19, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Garland E. Taylor.

No. MC 43283 (Sub No. 7), filed February 11, 1960. Applicant: WASHBURN STORAGE COMPANY, a corporation, 83 Fifth Street, Macon, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, between points in Georgia.

HEARING: July 19, 1960, at the Georgia Public Service Commission, 244 Washington Street, SW., Atlanta, Ga., before Joint Board No. 101, or, if the Joint Board waives its right to participate, before Examiner Hugh M. Nicholson.

No. MC 52657 (Sub No. 588), filed May 9, 1960. Applicant: ARCO AUTO CARRIERS, INC., 7530 South Western Avenue, Chicago 20, Ill. Applicant's attorney: G. W. Stephens, 121 West Doty Street, Madison, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Equipped and unequipped communication shelters, from York, Pa., and points within five (5) miles of York, to points in the United States, including Alaska and Hawaii.

Note: Applicant states no duplicating authority is sought.

HEARING: June 29, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner J. Thomas Schneider.

No. MC 52657 (Sub No. 589), filed May 9, 1960. Applicant: ARCO AUTO CAR-

RIERS, INC., 7530 South Western Avenue. Chicago 20, Ill. Applicant's attorney: G. W. Stephens, 121 West Doty Street, Madison, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: A. Motor vehicle bodies, water purification equipment, moving in straight or mixed loads with bodies, from Lansdale, Pa., and points within five (5) miles of Lansdale, to points in the United States, including Alaska and Hawaii. B. Trailers, other than those designed to be drawn by passenger automobiles in initial movements in truckáway service, from Lansdale, Pa., and points within five (5) miles of Lansdale, to points in the United States, including Alaska and Hawaii.

HEARING: June 30, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Alton R. Smith.

No. MC 52751 (Sub No. 22), filed April 4, 1960. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines 17, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Aluminum siding and siding accessories, from Chicago Heights, Ill., to points in Nebraska.

Note: Applicant is presently authorized to transport prepared roofing, roofing cement, insulating materials, wallboard, and asbestos building materials from Chicago Heights, Ill., to points in Nebraska by joinder of existing rights at Wilmington, Ill. It is proposed that aluminum siding would be transported in mixed shipments with such traffic.

(2) Building materials, from Chicago Heights, Ill., to points in South Dakota.

Note: Applicant is presently authorized to transport building materials by joinder of existing rights at either Wilmington, Ill., or at points in Minnesota within 25 miles of Nassau. Elimination of the gateway restrictions is sought.

HEARING: July 27, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Garland E. Taylor.

No. MC 55843 (Sub-No. 11), filed May 16, 1960. Applicant: SAGINAW TRANSFER COMPANY, INC., 2130 Midland Road, Saginaw, Mich. Applicant's attorney: William B. Elmer, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General Commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities, in bulk, and commodities requiring special equipment, serving the site of the Kelsey-Hayes Company plant located at the Intersection of North Line Road and Huron River Drive, Romulus Township, Wayne County, Mich., as an off-route point in connection with carrier's regular route operations to and from Detroit, Mich., and the commercial zone thereof.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its

right to participate, before Examiner Charles J. Murphy.

No. MC 59014 (Sub No. 20), filed February 3, 1960. Applicant: TALLANT TRANSFER COMPANY, INC., 1341 Second Avenue SW., Hickory, N.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: New furniture, from Adrian, Grand Rapids, Muskegon, and Zeeland, Mich., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, Maryland, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia. New furniture, from Fort Smith, Ark., to points in Mississippi, Tennessee, Kentucky, Alabama, Georgia, Florida, North Carolina, South Carolina, Virginia, and West Virginia. New furniture, from Pickens, Miss., to (1) points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, and West Virginia; (2) points in the Omaha, Nebr., Commercial Zone as defined by the Commission, points in the St. Paul-Minneapolis, Minn., Commercial Zone, as defined by the Commission, and points in the Washington, D.C., Commercial Zone, as defined by the Commission; (3) points in New York on, west and south of a line beginning at Oswego, N.Y., and extending along New York Highway 57 to Syracuse, N.Y., thence along New York Highway 5 to Schenectady, N.Y., and thence along New York Highway 7 to the New York-Vermont State line; (4) points in Wisconsin on, south and east of U.S. Highway 151; and (5) those in the lower peninsula of Michigan. Paper, from Crossett, Ark., to points in North Carolina. Lumber, from points in Missouri to Lenoir, N.C. Forest Products used in the manufacture of furniture, (1) from Doniphan and West Plains, Mo., to High Point, N.C.; (2) from points in New York, Kentucky, Mississippi, Arkansas and Louisiana to points in North Carolina on and west of U.S. Highway 1. Damaged and rejected shipments of the commodities specified in this application from points in the specified destination territory to the designated origin points.

HEARING: July 28, 1960, at the Charlotte Hotel, Charlotte, N.C., before Examiner Hugh M. Nicholson.

No. MC 59014 (Sub No. 21), filed April 18, 1960. Applicant: TALLANT TRANS-FER COMPANY, INC., 1341 Second Avenue SW., Hickory, N.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber and forest products, namely boards or sheets made from wood chips, wood shavings, sawdust, or ground wood with added liquid resin binder, from Catawba, S.C., and points within 5 miles thereof to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia, and palletts and stringers, on return.

HEARING: July 25, 1960, at the Charlotte Hotel, Charlotte, N.C., before Examiner Hugh M. Nicholson.

No. MC 59263 (Sub No. 3), filed April 4, 1960. Applicant: HILL'S TRUCK LINE, INC., 612 West Main, Murfreesboro, N.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Hardboard, from Murfreesboro, N.C., and points within 30 miles of Murfreesboro to points in North Carolina, South Carolina, Georgia, Virginia, West Virginia, Pennsylvania, Maryland, Delaware, New Jersey, New York, Tennessee, and the District of Columbia.

HEARING: July 14, 1960, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Examiner J. Thomas Schneider.

No. MC 61264 (Sub No. 10), filed April 19, 1960. Applicant: PILOT FREIGHT CARRIERS, INC., Cherry Street at Polo Road, P.O. Box 615, Winston-Salem, N.C. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between points in New Jersey and New York, on the one hand, and, on the other, points in North Carolina, South Carolina, and those in that part of Georgia on and north of U.S. Highway 80.

Note: Applicant states that it is presently authorized to serve all points involved and that the sole purpose of the instant application is to eliminate gateways between certain of the points.

HEARING: July 27, 1960, at the Charlotte Hotel, Charlotte, N.C., before Examiner Hugh M. Nicholson.

No. MC 64932 (Sub No. 273), filed May 11, 1960. Applicant: ROGERS CARTAGE CO., a corporation, 1934 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquefied petroleum gas, in bulk, in tank vehicles, between points in Illinois, Iowa, Missouri, Kansas, Nebraska, Minnesota, North Dakota, South Dakota, Upper Peninsula of Michigan, and Wisconsin.

HEARING: June 20, 1960, in Room 401 Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Maurice S. Bush.

No. MC 84737 (Sub No. 71), filed April 18, 1960. Applicant: WILSON MOTOR EXPRESS, a corporation, P.O. Box 6038, Myers Branch, Charleston, S.C. Applicant's attorney: James F. Wilson, Continental Building, 14th at K NW., Washington 5, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber and forest products, namely, boards or sheets made from wood chips, wood shavings, sawdust or ground wood with added liquid resin binder, from Catawba, S.C., and points within five (5) miles thereof; to points in

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Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, North Carolina, Tennessee, Virginia, Texas and Oklahoma, and palletts and stringers on return.

HEARING: July 25, 1960, at the Charlotte Hotel, Charlotte, N.C. before Examiner Hugh M. Nicholson.

No. MC 92983 (Sub No. 374) filed March 25, 1960. Applicant: ELDON MILLER, INC., 330 East Washington Street, Iowa City, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fats and oils, in bulk, in tank vehicles, from Columbus, Ohio to points in Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

HEARING: July 26, 1960, at the New Post Office Building, Columbus, Ohio, before Examiner A. Lane Cricher.

No. MC 95540 (Sub No. 323), filed March 7, 1960. Applicant: WATKINS MOTOR LINES, INC., Cassidy Road, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat by-products, and articles distributed by meat packing houses, from points in Iowa to points in Florida.

HEARING: July 25, 1960, in Room 401 Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Garland E. Taylor.

No. MC 10279 (Sub No. 4), filed April 26, 1960. Applicant: PACKAGE MES-SENGERS, INC., 2939 West Page Street, Philadelphia 21, Pa. Applicant's attorney: Paul F. Barnes, 811-819 Lewis Tower Building, 225 South 15th Street, Philadelphia 2, Pa. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Medical supplies and materials, dental, optical and photographic supplies, materials and products, in packages not exceeding forty (40) pounds in weight, from the Village of King of Prussia, Pa. to points in Mercer. Burlington, Gloucester, and Camden Counties, N.J., and points in New Castle County, Del.

Nore: Applicant states the proposed operations will be under a continuing contract with Abbott Laboratories.

HEARING: July 15, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Leo A. Riegel.

No. MC 103378 (Sub No. 175), filed March 24, 1960. Applicant: PETRO-LEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500 Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular' routes, transporting: Roofing and roofing materials, in truck load lots, from Savannah, Ga., to points in South Carolina and North Carolina.

HEARING: July 19, 1960, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 130, or, if the

Joint Board waives its right to participate, before Examiner Hugh M. Nichol-

No. MC 103378 (Sub No. 178), filed May 2, 1960. Applicant: PETRO-LEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500 Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: kaolin and pyrophyllite, crude, washed, shredded or ground, but not further processed, in bulk, in hopper type vehicles, from Hepzibah, Ga., and points within 5 miles thereof, to Aiken, S.C.

HEARING: July 20, 1960, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 131, or, if the Joint Board waives its right to participate, before Examiner Hugh M. Nichol-

No. MC 103993 (Sub No. 134), filed April 11, 1960. Applicant: MORGAN DRIVE-AWAY, INC., 500 Equity Building, Elkhart, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Trailers, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in North Carolina (except from Greensboro, N.C.), to points in the United States, including Alaska.

HEARING: July 18, 1960, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Examiner J. Thomas Schneider.

No. MC 104801 (Sub No. 10), filed March 18, 1960. Applicant: ELMER VITALIS, doing business as VITALIS TRUCK LINES, 1656 East Grand Avenue, Des Moines, Iowa. Applicant's attorney: Stephen Robinson, 1020 Savings & Loan Building, Des Moines, Iowa. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Calcium chloride, bicarbonate of soda, soda ash, and caustic soda, in bulk and in bags, from Barberton. Ohio, to points in Iowa, and rejected shipments, on return.

HEARING: July 26, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before

Examiner Garland E. Taylor.

No. MC 105249 (Sub No. 5), filed March 16, 1960. Applicant: GUY WORD TRANSFER & STORAGE COMPANY, a corporation, 106 Campbell Street, Thomasville, Ga. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Fresh meats and packing house products, (1) from Thomasville, Ga., to points in Georgia on and within the area bounded by U.S. Highway 441 at the Georgia-Florida State line, thence north over U.S. Highway 441, through Fargo, Douglas and Broxton, to junction U.S. Highway 319, thence west over U.S. Highway 319 to junction Georgia Highway 182, thence northwest over Georgia Highway 182 to junction U.S. Highway 129, thence over U.S. Highway 129 to Abbeville, thence west over

Georgia Highway 30 through Rochelle and Pitts, to junction Georgia Highway 215, thence northwest over Georgia Highway 215 to Vienna, thence west over Georgia 27 through Americus and Georgetown to the Georgia-Alabama State line, thence south along the said State line to junction Alabama-Florida-Georgia State line (near Chattahoochie, Fla.), and thence east along the Florida-Georgia State line to point of beginning at junction U.S. Highway 441; and (2) from Thomasville, Ga., to points in Florida and Alabama on and within the area bounded by U.S. Highway 84 at the Georgia-Alabama State line, thence over U.S. Highway 84 to Dothan, Ala., thence south over U.S. Highway 231 to Panama City, Fla., thence over U.S. Highway 98 to Appalachicola, Fla., thence over U.S. Highway 319 to the Georgia-Florida State line, thence along said State line west and north to junction Georgia-Florida-Alabama State line, and thence north along the Georgia-Alabama State line to points of beginning at junction U.S. Highway 84; and returned or rejected shipments of the above-specified commodities, from the above-specified destination points, to Thomasville, Ga.

Note: Applicant is also authorized to conduct operations as a common carrier in Certificate No. MC 2261; therefore, dual operations under section 210 may be involved.

HEARING: July 21, 1960, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 99, or, if the Joint Board waives its right to participate, before Examiner Hugh M. Nicholson.

No. MC 106223 (Sub No. 56), filed April 7, 1960. Applicant: GREENLEAF MOTOR EXPRESS, INC., 4606 State Avenue, Ashtabula, Ohio. Applicant's attorney: Edwin C. Reminger, 75 Public Square, Suite 1316, Cleveland 13, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Trichlorethylene (used, returned for reprocessing) liquid, in bulk, in tank vehicles, from Neosho, Mo., to Ashtabula, Ohio.

HEARING: July 11, 1960, at the Federal Building, Detroit, Mich., before

Examiner Garland E. Taylor.

No. MC 106398 (Sub No. 157), filed May 2, 1960. Applicant: NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road, Tulsa, Okla. Authority sought to operate as a common carrier. by motor vehicle, over irregular routes, transporting: Boats not exceeding 20 feet in length, from points in Virginia to all points in the United States, and damaged or refused shipments of boats. returned to shipper.

HEARING: June 30, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Warren C. White.

No. MC 107107 (Sub No. 147), filed April 19, 1960. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami, Fla. Applicant's attorney: Frank B. Hand, Jr., 522 Transportation Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle,

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over irregular routes, transporting: Food and Food products and food ingredients requiring temperature control in transit, from Jacksonville, Fla., to points in Wayne, Chatham, Lowndes, Ware, and Glynn Counties, Ga.

HEARING: July 27, 1960, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 64, or, if the Joint Board waives its right to participate, before Examiner J. Thomas Schneider.

No. MC 107409 (Sub No. 22), filed April 18, 1960. Applicant: RATLIFF & RATLIFF, INC., P.O. Box 399, Highway 742, Wadesboro, N.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber and forest products, namely, boards or sheets made from wood chips, wood shavings, sawdust or ground wood with added liquid resin binder, from Catawba, S.C., and points within five (5) miles thereof, to points in Connecticut, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Vermont, Virginia, and West Virginia, and palletts and stringers on return.

HEARING: July 25, 1960, at the Charlotte Hotel, Charlotte, N.C., before Examiner Hugh M. Nicholson.

No. MC 108207 (Sub No. 73), filed May 1960. Applicant: FROZEN FOOD EXPRESS, P.O. Box 5888, Dallas, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Bananas, from Gulfport, Miss., to points in Arizona, Arkansas, Illinois, California, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin.

HEARING: June 22, 1960, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Henry A. Cockrum.

No. MC 108449 (Sub No. 100) (Amendment), filed March 9, 1960, published FEDERAL REGISTER, issue of March 30, 1960. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul 13, Minn. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, between points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Upper Peninsula of Michigan, and Wisconsin.

Note: Applicant states all duplicating authority presently held will be eliminated.

HEARING: Remains as assigned: Juhe 20, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Maurice S. Bush.

No. MC 109337 (Sub No. 4), filed March 18, 1960. Applicant: WATSON BROS. VAN LINES AND HEAVY HAUL-ING CO., a corporation, 1324 Leavenworth Street, Omaha, Nebr. Applicant's

attorney: Jack W. Marer, 854 Omaha National Bank Building, Omaha 2, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cast Iron pressure pipe and fittings, and accessories, and damaged and rejected shipments of the above-specified commodities on return, between Council Bluffs, Iowa, and points in Arkansas, Colorado, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming.

HEARING: July 18, 1960, in Room 852 U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner A. Lane Cricher.

No. MC 110525 (Sub No. 417) filed May 4, 1960. Applicant: CHEMICAL TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington, D.C. Authority scught to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Tall oil and tall oil products, in bulk, in tank vehicles, from Panama City, Fla., to Bridgeville, Pa., and rejected shipments, on return.

HEARING: June 28, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Hugh M. Nicholson.

No. MC 110525 (Sub No. 418) filed May 4, 1960. Applicant: CHEMICAL TANK LINES, INC., 520 East Lancaster Avenue, Downington, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals, in bulk, in tank vehicles, from Painesville, Ohio, to points in Indiana, Michigan, New York, and West Virginia, and rejected shipments, on return.

HEARING: June 29, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo M. Pellerzi.

No. MC 110878 (Sub No. 11), filed April 11, 1960. Applicant: GRADY ALBERTSON, doing business as ARGO TRUCKING COMPANY, Lower Heard Street, Elberton, Ga. Applicant's attorney: Guy H. Postell, 805 Peachtree Street Building, Atlanta 8, Ga. Authority sought to operate as a common cartier, by motor vehicle over irregular routes, transporting: Granite and marble, from Liberty Hill S.C., and points within 25 miles thereof, to Elberton, Ga.

HEARING: July 20, 1960, at the Georgia Public Service Commission, 244 Washington Street, S.W., Atlanta, Ga., before Joint Board No. 131, or, if the Joint Board waives its right to participate, before Examiner Hugh M. Nicholson.

No. MC 111545 (Sub No. 44). filed April 18, 1960. Applicant: HOME TRANS-PORTATION COMPANY, INC., 334 South Four Lane Highway, Marietta, Ga. Applicant's attorney: Paul M. Daniell, Suite 214-217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (à) Commodities, the transportation of which,

because of size or weight requires the use of special equipment or special handling (b) Commodities listed in Appendix 8 to Description in Motor Carrier Certificates 61 M.C.C. 209 without regard to their intended use. (Road Construction Machinery and Equipment), between points in Minnesota, on the one hand, and, on the other points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.

HEARING: July 18, 1960, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Hugh M. Nicholson.

No. MC 111545 (Sub No. 45), filed April 22, 1960. Applicant: HOME TRANS-PORTATION COMPANY, INC., 334 South Four Lane Highway, Marietta, Ga. Applicant's attorney: Allan Watkins, Suite 214–217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Warehouse and Platform tugs and fork-lift trucks, when transported on flat bed or low-boy trailers, from Battle Creek, Mich., to points in North Carolina and South Carolina.

HEARING: July 22, 1960, at the U.S. Court Rooms, Columbia, S.C., before Examiner J. Thomas Schneider.

No. MC 112020 (Sub No. 93), filed March 7, 1960. Applicant: COM-MERCIAL OIL TRANSPORT, a corporation, 1030 Stayton Street, Fort Worth. Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Paints, lacquers, varnishes, resins, and materials therefor, in bulk, in tank vehicles, between Chicago, Ill., on the one hand, and, on the other, points in Wisconsin, Minnesota, Nebraska, Iowa, Kansas, Missouri, Arkansas, Oklahoma, Texas, Mississippi, Georgia, Tennessee, Kentucky, Ohio, Michigan, Colorado, Illinois, Louisiana, Alabama, and Indiana.

Note: Applicant is controlled and owned by the same stock holders who control and own Commercial Oil Transport of Oklahoma, Inc., an Oklahoma corporation.

HEARING: July 21, 1960, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Garland E. Taylor.

No. MC 112223 (Sub-No. 50) filed May 11, 1960. Applicant: QUICKIE TRANS-PORT COMPANY, 1121 South Seventh Street, Minneapolis 4, Minn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquefied petroleum gas, in bulk, in tank vehicles, between points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Upper Peninsula of Michigan, and Wisconsin, and empty containers or other such incidental facilities (not specified), used in transporting the commodities specified in this application on return.

Note: Applicant states, all duplicating authority will be eliminated.

HEARING: June 20, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Maurice S. Bush.

No. MC 112497 (Sub No. 160), filed April 25, 1960. Applicant: HEARIN TANK LINES, INC., 6440 Rawlings Street, P.O. Box 3096 (Istrouma Branch), Baton Rouge, La. Applicant's attorney: Harry C. Ames, Hill & Ames, Transportation Building, Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Crude tall oil, in bulk, in tank vehicles, from Foley, Fla., to Bay Minette, Ala.

HEARING: July 25, 1960, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 98, or, if the Joint Board waives its right to participate, before Examiner J. Thomas Schneider.

No. MC 112520 (Sub No. 42), filed April 27, 1960. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Crude tall oil, in bulk, in tank vehicles, from Foley, Fla., and Clyattville, Ga., to Bay Minette, Ala., and (2) pulp mill liquid, in bulk, in tank vehicles, from Clyattville, Ga., to Bay Minette, Ala.

HEARING: July 25, 1960, at the Mayflower Hotel. Jacksonville, Fla., before Joint Board No. 99, or, if the Joint Board waives its right to participate, before Examiner J. Thomas Schneider.

No. MC 112520 (Sub No. 43), filed May 5, 1960. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, P.O. Box 161, Tallahassee, Fla. Applicant's attorney: Sol H. Proctor, 713–17 Professional Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Tall oil and tall oil products, in bulk, in tank vehicles, from Panama City, Fla. to Bridgeville, Pa. (2) Synthetic resins, in bulk, in tank vehicles, from Bridgeville, Pa. to points in Florida.

HEARING: June 28, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Hugh M. Nicholson.

No. MC 112520 (Sub No. 44), filed May 9, 1960. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla.' Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville 2. Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes,, transporting: Crude tall oil, and tall oil products, in bulk, in tank vehicles, from Clyartville, Ga., to Port St. Joe, Fla.

HEARING: July 26, 1960, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 64, or, if the Joint Board waives its right to participate, before Examiner J. Thomas Schneider.

No. MC 112588 (Sub No. 4), filed April 18, 1960. Applicant: RUSSELL TRUCK-ING LINE INC., Box 90, Baybridge, Ohio. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cement, in bulk, and packages, from Wampum, Pa., to points in Chautauqua and Cattaraugus Counties, N.Y., and empty containers or other such incidental facilities (not specified) used in transporting the abovedescribed commodity on return.

HEARING: July 29, 1960, at the New Post Office Building, Columbus, Ohio, before Examiner A. Lane Cricher.

No. MC 113495 (Sub-No. 5), filed May 5, 1960. Applicant: GREGORY HEAVY HAULERS, INC., 2 Main Street, Nashville, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) Tractors (except those used for pulling highway trailers), with or without attachments and accessories; Scrapers; Motor graders, with or without attachments and accessories; Wagons and trailers (except highway trailers); Engines; Generators; Engines and generators combined; Welders; Road rollers and road compactors; Cranes, with or without attachments and accessories; Loaders; Concrete mixers; Trenching machines; Power sweepers; Paving machines; Air Compressors; Dump trucks (off-highway type); Parts, attachments and accessories for the above-named commodities. (B) Commodities listed in Appendix VIII, Road construction machinery and equipment, to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, with the exception of those listed above in Part A, without regard to intended use; Parts, attachments and accessories for the abovenamed commodities, (1) from points in Illinois to points in Tennessee, North Carolina, and Virginia; and (2) between points in Tennessee, Kentucky, North Carolina, and Virginia.

HEARING: July 11, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Michael B. Driscoll.

No. MC 113855 (Sub No. 43), filed March 15, 1960. Applicant: INTERNA-TIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fresh or green salted hides, between ports of entry on the International Boundary line, between the United States and Canada, and points in Washington, Oregon, Idaho, Montana, Minnesota, Wisconsin, Illinois, Michigan, and those in that part of Indiana on and west of U.S. Highway 31.

HEARING: July 20, 1960, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Garland E. Taylor.
No. MC 113908 (Sub No. 68), filed

April 18, 1960. Applicant: ERICKSON TRANSPORT CORPORATION, MPO Box 706 W. Tampa, Springfield, Mo. Applicant's attorney: Turner White, 809 Woodruff Building, Springfield, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid animal feeds and liquid animal feed ingredients, in bulk, in tank vehicles, from Crete, Nebr., to points in New Mexico.

HEARING: July 11, 1960, at the Rome Hotel, Omaha, Nebr., before Examiner A. Lane Cricher.

No. MC 113908 (Sub No. 69), filed April 18, 1960. Applicant: ERICKSON TRANSPORT CORPORATION, MPO Box 706, 706 West Tampa, Springfield,

Mo. Applicant's attorney: Turner White, 808 Woodruff Building, Springfield, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid animal feeds and liquid animal feed ingredients, in bulk, in tank vehicles, from Crete, Nebr. to points in Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, North Dakota, Oklahoma, South Dakota, Wisconsin, Wyoming, Colorado (except Henderson, Colo.), and Texas (except North Sea Drift, Velasco, Texas City and points in Harris, Jefferson, and Orange Counties, Texas).

HEARING: July 11, 1960, at the Rome Hotel, Omaha, Nebr., before Examiner

A. Lane Cricher.

No. MC 114028 (Sub No. 4), filed March 18, 1960. Applicant: ROWLEY INTERSTATE TRANSPORTATION COMPANY, INC., 695 East 17th Street, Dubuque, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and articles distributed by meat packing houses, as defined in Parts A and C of Appendix I to Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 766, from Dubuque, Iowa to Baltimore, Md., and points in New Hamp-shire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania.

HEARING: July 18, 1960, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner

Garland E. Taylor.

No. MC 114098 (Sub No. 9), filed April 18, 1960. Applicant: LOWTHER TRUCKING CO., a corporation, 531 Penman Street, Charlotte, N.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber or forest products. viz, boards or sheets made from wood chips, wood shavings, sawdust or ground wood with added liquid resin binder, from Catawba, S.C. and points within five miles thereof, to points in Alabama. Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Texas, and Oklahoma, and palletts and stringers on return.

HEARING: July 25, 1960, at the Charlotte Hotel, Charlotte, N.C., before Ex-

aminer Hugh M. Nicholson.

No. MC 114939 (Sub No. 15), filed April 18, 1960. Applicant: BULK CAR-RIERS LIMITED, a corporation, Box 10, Dixie P.O. (Toronto), Ontario, Canada. Applicant's attorney: Walter N. Bieneman, Guardian Building, Detroit 26, Mich. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Petroleum and petroleum products, as described in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, (including asphalt plasticizer), in bulk, in tank vehicles, restricted to traffic destined to points in Canada, (a) from Toledo, Ohio and points in Michigan to ports of entry on the International Boundary line be-tween the United States and Canada at or near Port Huron and Detroit, Mich.; and (b) from Buffalo, N.Y., and points in the Commercial Zone thereof, as defined by the Commission, and Tonawanda, N.Y., and Bradford, Pa., to ports of entry on the International Boundary line between the United States and Canada on or near the Niagara River; and (2) Liquid Ethylene, in bulk, in tank vehicles, from ports of entry in New York on the International Boundary line between the United States and Canada on or near the Niagara River, to points in New Jersey, restricted to traffic originating in Canada.

Note: Applicant requests that any duplications of authority shall be treated as granting only one operating right.

HEARING: July 13, 1960, at the Federal Building, Detroit, Mich., before Examiner Garland E. Taylor.

No. MC 115162 (Sub No. 60), filed March 28, 1960. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Evergreen, Ala. Applicant's attorney: Hugh R. Williams, 2284 West Fairview Avenue, Montgomery, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fiber pipe, conduit and fittings, from Ironton, Ohio to points in Arkansas, Oklahoma, and Texas.

HEARING: July 29, 1960, at the New Post Office Building, Columbus, Ohio, before Examiner A. Lane Cricher.

No. MC 115691 (Sub No. 10), filed April 7, 1960. Applicant: R. J. COKER, doing business as COKER TRUCKING COM-PANY, P.O. Box 398, Demopolis, Ala. Applicant's attorney: H. A. Lloyd, Lloyd and Dinning Building, Demopolis, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Conduit and pipe, in flat bed trailers, and fittings and attachments for such conduit and pipe. from Landisville, N.J., to points in Georgia, Florida, Alabama, Arkansas, Louisiana, and Mississippi, and damaged or defective shipments of the abovedescribed commodities, on return.

HEARING: July 1, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James A. McKiel.

No. MC 115691 (Sub No. 11), filed April 11, 1960. Applicant: R. J. COKER, doing business as COKER TRUCKING COM-PANY, P.O. Box 398, Demopolis, Ala. Applicant's attorney: H. A. Lloyd, Lloyd & Dinning Building, Demopolis, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Conduit and pipe, in flat bed trailers, and fittings and attachments for such conduit and pipe, from Glen Dale, Marshall County, W. Va., to points in Georgia, Florida, Alabama, Arkansas, Louisiana, and Mississippi, and damaged or defective shipments of the above-described commodities, on return.

HEARING: July 11, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James A. McKiel.

No. MC 116323 (Sub No. 1), filed April 18, 1960. Applicant: TOM E. STEGALL, G. BRUCE STEGALL & MRS, WINNIE

STEGALL, STEGALL MILLING COMPANY, a partnership, Marshville, N.C. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4. D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber and forest products, such as boards or sheets made from wood chips, wood shavings, sawdust or ground wood with added liquid resin binder from Catawba. S.C., and points within five miles thereof to points in Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia, and palletts and stringers on return.

HEARING: July 25, 1960, at the Charlotte Hotel, Charlotte, N.C., before Examiner Hugh M. Nicholson.

No. MC 116514 (Sub No. 6), filed March 28, 1960. Applicant: EDWARDS TRUCKING, INC., Main Street, Hemingway, S.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Animal and poultry feeds, and equipment, materials and supplies used in the manufacture and marketing thereof, between Charlotte, N.C., on the one hand, and, on the other, Hemingway, S.C., and points within a 35 mile radius of Hemingway, S.C.

HEARING: July 20, 1960, at the U.S. Court Rooms, Columbia, S.C., before Joint Board No. 2, or, if the Joint Board waives its right to participate, before Examiner J. Thomas Schneider.

No. MC 116763 (Sub No. 9), filed March 24, 1960. Applicant: CARL SUBLER TRUCKING, INC., 903 Magnolia Avenue, Auburndale, Fla. Mailing Address: North West Street, Ver-Ohio. Applicant's sailles, attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Canned, prepared, or preserved foodstuffs, and (2) articles used in or for the preparation of foodstuffs when shipped in containers with foodstuffs, from Hanson, Worcester, and the site of the National Cranberry Company located near Buzzards Bay and Onset, Mass,. to Birmingham, Ala., Jacksonville, Fla., Atlanta, Ga., Chicago, Ill., Indianapolis, Ind., Des Moines, Iowa, Grand Rapids and Detroit, Mich., Minneapolis, Minn., St. Louis and Kansas City, Mo., Columbus, Cleveland and Toledo, Ohio, Pittsburgh and Scranton, Pa., and Milwaukee, Wis.

Note: Applicant holds contract carrier authority in Permits Nos. MC 109761 and Sub Numbers thereunder. Section 210, dual operations, may be involved. A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's status is that of a contract or common carrier, assigned Docket No. MC 109761 (Sub No. 12).

HEARING: July 27, 1960, at the New Post Office Building, Columbus, Ohio, before Examiner A. Lane Cricher.

No. MC 117167 (Sub No. 1), filed April 18, 1960. Applicant: EDWIN J. BAR-RETT, doing business as BARRETT'S AUTO SERVICE, 6902 Railroad Avenue,

Omaha, Nebr. Applicant's attorney: John C. Barrett, 4825 South 24th Street, Omaha 7, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wrecked and disabled motor vehicles and trailers, by use of wrecker equipment only, from Omaha, Nebr., to points in Iowa, Missouri, Colorado, Wyoming, Kansas, South Dakota, and Minnesota.

HEARING: July 12, 1960, at the Rome Hotel, Omaha, Nebr., before Examiner A. Lane Cricher.

No. MC 117344 (Sub No. 31), March 24, 1960. Applicant: THE MAX-WELL CO., a corporation, 2200 Glendale-Milford Road, Cincinnati 15, Ohio. Applicant's attorney: Herbert Baker, West Broad Street, Columbus 15, Ohio. Authority sought to operate as a contract or common carrier, by motor vehicle, over irregular routes, transporting: Lacquers, paints, varnishes and surface coating compounds, in bulk, in tank vehicles, from Chicago, Ill., to points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin, and empty containers or other such incidental facilities (not specified), used in transporting the commodities specified in this application on return.

Note: A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's status is that of a contract or common carrier. In No. MC 50404 (Sub No. 55).

HEARING: July 21, 1960, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Garland E. Taylor.

No. MC 117344 (Sub No. 32), filed March 24, 1960. Applicant: THE MAX-WELL CO., a corporation, 2200 Glendale-Milford Road, Cincinnati 15, Ohio. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a contract or common carrier, by motor vehicle, over irregular routes, transporting: Lacquers, paints, varnishes, and surface coating compounds, in bulk, in tank vehicles, from Cincinnati, Ohio, to all points in Alabama, Georgia, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas, and empty containers or other such incidental facilities (not specified). used in transporting the commodities specified in this application on return.

Note: A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's status is that of a contract or common carrier. In No. MC 50404 (Sub No. 55).

HEARING: July 25, 1960, at the New Post Office Building, Columbus, Ohio, before Examiner A. Lane Cricher.

No. MC 117344 (Sub No. 33), filed March 24, 1960. Applicant: THE MAX-WELL CO., a corporation, 2200 Glendale-Milford Road, Cincinnati 15, Ohio. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a con-

tract or common carrier, by motor vehicle, over irregular routes, transporting: Resins, in bulk, in tank vehicles from Cincinnati, Ohio, to all points in Florida, and empty containers or other such incidental facilities (not specified), used in transporting the commodities specified in this application on return.

Note: A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's status is that of a contract or common carrier. In No. MC 50404 (Sub No. 55).

HEARING: July 25, 1960, at the New Post Office Building, Columbus, Ohio, before Examiner A. Lane Cricher.

No. MC 117427 (Sub No. 15), filed April 18, 1960. Applicant: G. G. PARSONS, G. G. PARSONS TRUCKING COM-PANY, an individual, P.O. Box 746, North Wilkesboro, N.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber and forest products, such as boards or sheets made from wood chips, wood shavings, sawdust, or ground wood with added liquid resin binder, from Catawba, S.C., and points within five miles thereof to points in Illinois. Indiana, Michigan, New York, North Carolina, Ohio, Pennsylvania, Virginia, and West Virginia, and palletts and stringers on return.

HEARING: July 25, 1960, at the Charlotte Hotel, Charlotte, N.C., before Ex-

aminer Hugh M. Nicholson.

No. MC 117702 (Sub No. 2), filed May 9, 1960. Applicant: DENTON OLIVER, 2320 Boston Avenue, Muskogee, Okla. Applicant's attorney: John W. Porter, Jr., 630 Equity Building, Muskogee, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Bananas, from Gulfport, Miss., to Oklahoma City, Okla.

HEARING: June 22, 1960, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner

Henry A. Cockrum.

No. MC 118594 (Sub No. 1), filed April 1, 1960. Applicant: CARTAGE SERV-ICES, INC., 7667 Telegraph, Taylor, Mich. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Precast, Reinforced or pre-stressed Concrete Blocks, Slabs, Tile, Beams; Joists, Columns and related Articles, from Dearborn, Mich. to points in Ohio, Indiana, Illinois, Pennsylvania, and New York, and rejected shipments and shipping containers on return.

HEARING: July 11, 1960, at the Federal Building, Detroit, Mich., before Examiner Garland E. Taylor.

No. MC 118974 (Sub-No. 3), filed April 19, 1960. Applicant: RATH UNITIZED NAVIGATION, INC., 3437 Main Highway, Miami 33, Fla. Applicant's attorney: Frank B. Hand, Jr., 522 Transportation Building, Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Miami, Fla., restricted to traffic having a prior or subsequent movement by water.

HEARING: July 26, 1960, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 205, or, if the Joint Board waives its right to participate, before Examiner J. Thomas Schneider.

No. MC 119223 (Sub No. 1), filed March 25, 1960. Applicant: BULK TRANSPORT, INC., 2 South 32d Street, Birmingham 5, Ala. Applicant's attorney: Harold G. Hernly, 1624 Eye Street NW., Washington 6, D.C. Authority sought to operate as a contract carrier, by motor vchicle, over irregular routes, transporting: Cement, from the plant site of National Cement Company, Ragland, St. Clair County, Ala., to points in Alabama, Georgia, North Carolina, South Carolina, Florida, Mississippi, and Tennessee and empty pallets used in transporting cement on return.

HEARING: July 12, 1960, at the Hotel Thomas Jefferson, Birmingham, Ala., before Examiner Hugh M. Nicholson.

No. MC 119441 (Sub No. 4), filed March 30, 1960. Applicant: BAKER HI-WAY EXPRESS, INC., Stone Creek, Ohio. Applicant's attorney: Richard H. Brandon, Hartman Building, Columbus 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Clay products, from Mogadore, Ohio and points within three (3) miles thereof, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, New York, West Virginia, and Wisconsin, and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application, on return.

Note: Dual authority under section 210 may be involved.

HEARING: July 26, 1960, at the New Post Office Building, Columbus, Ohio, before Examiner A. Lane Cricher.

No. MC 119442, filed January 29, 1960. Applicant: GUY RUSHING, Oakboro, N.C. Applicant's attorney: Samuel Behrends, Jr., Albemarle, N.C. Authority sought to operate as a common cartier, by motor vehicle, over irregular routes, transporting: (1) Lumber, except veneer and plywood, from points in Stanly County, N.C., to points in Palm Beach, Broward and Dade Counties, Fla. (2) Oyster shells, from Jacksonville, Fla., to points in North Carolina and South Carolina. (3) Citrus pulp, from points in Florida to points in North Carolina and South Carolina.

HEARING: July 22, 1960, at the Charlotte Hotel, Charlotte, N.C., before Examiner Hugh M. Nicholson.

No. MC 119572, filed March 10, 1960. Applicant: SCHWERMAN TRUCKING CO. OF ALABAMA, INC., 620 South 29th Street, Milwaukee 46, Wis. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Cement, in bulk and in packages, (1) from the site of the Lone Star Cement Corporation plant located in or near North Birmingham, Ala., to points in Alabama, Mississippi, Tennessee, Georgia, Florida, North Carolina, and South Carolina; (2) from the site of the Lone Star Cement Corporation plant located in or near Demopolis, Ala., to points in Alabama, Mississippi, Tennessee, Georgia, and Florida; and (3)

from the site of the Alpha Portland Cement Company plant located in or near Birmingham, Ala., to points in Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida, and empty containers or other such incidental facilities (not specified) used in transporting Cement from the above-specified destination points to the respective origin points. RESTRICTION: The above operations are to be performed under continuing contracts with the Lone Star Cement Corporation, New York, N.Y., and the Alpha Portland Cement Company, Easton, Pa.

Note: Common control may be involved.

HEARING: July 14, 1960, at the Hotel Thomas Jefferson, Birmingham, Ala., before Examiner Hugh M. Nicholson.

No. MC 119606, filed March 21, 1960. Applicant: IVERSON S. JOHNSON, JR., JOHNSON'S FREIGHTWAYS, 103 Dixie Drive, Sumter, S.C. Applicant's attorney: M. M. Weinberg, Jr., 111 North Main Street, Sumter, S.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: New Furniture, damaged, and rejected shipments, between points in Sumter County, S.C., and points in Mississippi, Louisiana, and Arkansas.

HEARING: July 20, 1960, at the U.S. Court Rooms, Columbia, S.C., before Ex-

aminer J. Thomas Schneider.

No. MC 119611, filed March 23, 1960. Applicant: E. W. BOHREN TRANS-PORT, INC., Woodburn, Ind. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Feed and Feed Ingredients, between points in Illinois, Indiana, Ohio, and Pennsylvania.

HEARING: July 19, 1960, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner

Garland E. Taylor.

No. MC 119623 (Sub No. 1), filed April 27, 1960. Applicant: LAWRENCE SUNDERMEYER, 704½ East Main Street, Pipestone, Minn. Applicant's attorneys: Palmer & Rice, Pipestone, Minn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Creosote and penta treated posts, poles, and lumber, from points within five (5) miles of Panama, Okla., including Panama, to points in Nebraska and South Dakota, points in Iowa on and west of U.S. Highway 169, and those in Minnesota on and west of Minnesota Highway 15 and on and south of U.S. Highway 12, and exempt agricultural commodities, on return movements.

HEARING: July 12, 1960, at the Rome Hotel, Omaha, Nebr., before Examiner A. Lane Cricher.

No. MC 119678, filed April 15, 1960. Applicant: IRONBOUND TRUCK RENTAL, 100 Elm Road, Newark, N.J. Applicant's attorney: Herman B. J. Weckstein, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Kosher foods, between Newark, N.J., and New York and points in Nassau County, N.Y.

Note: Applicant states the proposed operations will be under a continuing contract with Mother's Food Products, Inc., division of Vita Food Products.

HEARING: July 27, 1960, at the U.S. Court Rooms, Newark, N.J., before Examiner Leo A. Riegel.

No. MC 119769, filed May 12, 1960. Applicant: ROBERT A. DIXON, Mitchellville, Md. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Meats, packing-house products, and commodities used by packing houses, as described in Appendix I (Items A, B, C and D), 61 M.C.C. 209, and empty containers or other such incidental facilities (not specified) used in transporting the above-described commodities, between Washington, D.C., and points in Maryland and Virginia.

Note: Applicant indicates the proposed operations will be under a continuing contract or contracts with Swift & Co., Washington, D.C.

HEARING: June 29, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 68.

No. MC 120153 (Sub No. 1), filed April 1960. Applicant: BRENT TRANS-PORT, INC., 1315 Canal Street, Jacksonville, Fla. Applicant's attorney: James K. Knudson, 1821 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, without exception, in fully loaded or partially loaded containers and trailers (except automobile transport trailers loaded with automobiles), and empty containers and trailers, between points in Florida restricted to traffic having an immediately prior, or which will have an immediately subsequent movement by air, rail, water, or motor carrier.

Note: Applicant conducts operations under the second proviso of section 206(a) (1) in No. MC 120153.

HEARING: July 28, 1960, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 205, or, if the Joint Board waives its right to participate, before Examiner J. Thomas Schneider.

MOTOR CARRIERS OF PASSENGERS

No. MC 668 (Sub No. 69), filed April Applicant: INTER-CITY 1960. TRANSPORTATION CO., INC., 730 Madison Avenue, Paterson, N.J. Applicant's attorney: Edward F. Bowes, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Passengers and their baggage and express and newspapers, in the same vehicle with passengers, between points in the Town of Tuxedo, N.Y. as follows: From junction New York Highway 17 and Access Road leading to New York Highway 210 (which Access Road is south of New York Highway 210) and from junction New York Highway 17 and Access Road leading to New York Highway 210 (which Access Road is north of New York Highway 210), over both Access Roads to their junction with New York Highway 210; thence over New York Highway 210 to its junction with

Bramertown Road in Tuxedo, and return over the same routes, serving all intermediate points.

HEARING: July 27, 1960, at the U.S. Court Rooms, Newark, N.J., before Ex-

aminer Leo A. Riegel.

No. MC 3647 (Sub No. 280), filed Applicant: PUBLIC March 14, 1960. SERVICE COORDINATED TRANS-PORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling, Law Depart-(same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, in the same vehicle with passengers, in special operations, in round-trip sightseeing or pleasure tours, beginning and ending at Elizabeth, N.J., and extending to points in West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan, and Wisconsin.

HEARING: July 28, 1960, at the U.S. Court Rooms, Newark, N.J., before Ex-

aminer Leo A. Riegel.

No. MC 3647 (Sub No. 283), filed March 31, 1960. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, Applicant's attorney: Richard Fryling, General Counsel, Public Service Coordinated Transport (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle over irregular routes, in seasonal operations during the racing seasons, transporting: Passengers and their baggage, in the same vehicle with passengers, in round-trip, special operations, beginning and ending at Philadelphia. and 69th Street Terminal, Upper Darby, Pa., and Camden, N.J., and extending to: (1) Aqueduct Race Track, New York, N.Y. (2) Belmont Park Race Track, Elmont. N.Y.

HEARING: July 20, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Joint Board No. 42, or, if the Joint Board waives its right to participate, before Examiner Leo A. Riegel.

No. MC 3647 (Sub No. 286), filed April 7, 1960. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT. Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage in the same vehicle with passengers, in round-trip special operations, seasonal during racing seasons, beginning and ending at Trenton, N.J., and extending to (1) Delaware Park Race Track, Stanton, Del., (2) Pimlico Race Track, Baltimore, Md., (3) Bowie Race Track, Bowie, Md., (4) Laurel Race Track, Laurel, Md., (5) Belmont Park Race Track, Elmont, N.Y., (6) Aqueduct Race Track, New York, N.Y., (7) Roosevelt Raceway, Westbury, N.Y., (8) Yonkers Raceway, Yonkers, N.Y., and (9) Charles Town Race Tracks, Charles Town, W. Va.

HEARING: July 26, 1960, at the U.S. Court Rooms, Newark, N.J., before Examiner Leo A. Riegel.

No. MC 3647 (Sub No. 289), filed April 11, 1960. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, in the same vehicle with passengers, in special operations, in round trip sight-seeing or pleasure tours, beginning and ending at Jersey City and Newark, N.J., and extending to points in Kentucky.

HEARING: July 25, 1960, at the U.S. Court Rooms, Newark, N.J., before Examiner Leo A. Riegel.

No. MC 75289 (Sub No. 25) filed May 11, 1960. Applicant: D.C. TRANSIT SYSTEM, INC., 3600 M Street NW., Washington 7, D.C. Applicant's attorney: John R. Sims (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Passengers and their baggage, express and newspapers, in the same vehicle with passengers, between Rockville, Md., and Germantown, Md.: From Rockville, Md., over North Washington Street, and Maryland Highway 355 to its intersection with Brown's Station Road, thence over Brown's Station Road to its intersection with Washington National Pike (U.S. 240), thence over Washington National Pike (U.S. 240) to its intersection with Maryland Highway 118, thence over Maryland Highway 118 to its intersection with Atomic Energy Commission Roadway, thence over Atomic Energy Commission Roadway to building at Germantown, Md., and return over the same routes serving all intermediate points.

Note: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 116755 Sub 4.

HEARING: June 30, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 112.

No. MC 84728 (Sub No. 33) filed May 6. 1960. Applicant: SAFEWAY TRAILS, INC., 1200 Eye Street NW., Washington, D.C. Applicant's attorney: William A. Roberts, Continental Building, 14th at K NW., Washington 5, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes. transporting: Passengers and their baggage in the same vehicle with passengers, in round trip, special operations, seasonal during racing seasons, beginning and ending at Philadelphia, Pa., and Camden, N.J., and extending to (a) Aqueduct Race Track, New York, N.Y., and (b) Belmont Park Race Track, Elmont, N.Y.

HEARING: July 20, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Joint Board No. 42, or, if the Joint Board waives its right to participate, before Examiner Leo A. Riegel.

No. MC 105704 (Sub No. 4), filed April 21, 1960. Applicant; N. DALE LIGHT-NER, doing business as LINCOLN BUS LINES, 10 Elm Avenue, Hanover, Pa. Applicant's attorney: Norman T. Petow, 43 North Duke Street, York, Pa. Authority sought to operate as a common car-

NOTICES

rier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, in special operations, in round-trip, sightseeing or pleasure tours, beginning and ending at points in York County, Pa., and extending to points in Alaska, with no pick-up or discharge of passengers en route.

HEARING: July 11, 1960, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner Leo A.

Riegel

No. MC 111143 (Sub No. 5), filed January 19, 1960. Applicant: J. I. DeNURE (Chatham Ltd., doing business as) CHATHAM COACH LINES, a corporation, 165 King Street East, Chatham, Ontario, Canada. Applicant's attorney: S. Harrison Kahn, 1110-14 Investment Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, in round-trip charter operations. between points on the United States-Canadian International Boundary line located on the boundary between the Provinces of Ontario and Quebec and the States of Michigan and extending eastward to New York on the one hand. and, on the other, to points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, Massachusetts, New Jersey, Pennsylvania, Delaware, Maryland. District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Kentucky, West Virginia, Indiana, and Wisconsin. RESTRIC-TION: The transportation service to be performed by the carrier shall be in foreign commerce only.

HEARING: July 12, 1960, at the Federal Building, Detroit, Mich., before Ex-

aminer Garland E. Taylor.

No. MC 119235 (Sub No. 1), filed April 4, 1960. Applicant: DOYLE B. GRIF-FITHS, Foley, Ala. Applicant's attor-ney: James A. Brice, P.O. Box 298, Foley, Ala. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Passengers and their baggage in the same vehicle with passengers, between Foley, Ala., and the plant site of Chemstrand Corporation, at or near Gonzales, Fla.: from . Foley over Alabama Highway 59, via Summerdale, to Robertsdale, Ala., thence over U.S. Highway 90 to junction Alternate U.S. Highway 90, thence over Alternate U.S. Highway 90 to junction Florida Highway 297, and thence over Florida Highway 297 to the plant site of Chemstrand Corporation at or near Gonzales, and return over the same route, serving the intermediate points of Summerdale and Robertsdale, Ala.

HEARING: July 11, 1960, at 11:00 o'clock a.m., at the Hotel Thomas Jefferson, Birmingham, Ala., before Joint Board No. 98, or, if the Joint Board waives its right to participate, before Examiner Hugh M. Nicholson.

Applications in Which Handling Without Oral Hearing Is Requested

MOTOR CARRIERS OF PROPERTY

No. MC 30319 (Sub-No. 114), filed May 13, 1960. Applicant: SOUTHERN PA-CIFIC TRANSPORT COMPANY, a

Texas corporation, 810 North San Jacinto Street (P.O. Box 4054), Houston, Applicant's attorney: Edwin N. Tex. Bell. 1500 National Bank of Commerce Building, New Orleans 12, La. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General Commodities, except those of unusual value, Classes A and B explosives, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment, between Kaplan, La., and the site of Pan American Petroleum Corp. Warehouse, 25 miles east of Creole, La., over Louisiana Highways 35 and 82.

serving all intermediate points. No. MC 66562 (Sub No. 1675), filed May 9, 1960. Applicant: RAILWAY EX-PRESS AGENCY, INCORPORATED, PRINCIPAL OFFICE: 219 East 42d Street, New York 17, N.Y. LOCAL OFFICE: Room 11, Express Annex, Union Station, Kansas City 8, Mo. Applicant's attorneys: Slovacek and Galiani, Suite 2800, 188 Randolph Tower, Chicago 1, Ill. Applicant's Representative: C. B. Walker, Railway Express Agency, Incorporated, Room 11, Express Annex, Union Station, Kansas City 8, Mo. Authority sought to operate as a common carrier, by motor vehicle, over a regular route, transporting: General commodities, including Classes A and B explosives, moving in express service, between Kansas City, Mo., and Coffeyville, Kans., from Kansas City south over U.S. Highway 69 to junction Kansas Highway 68, thence west over Kansas Highway 68 to junction U.S. Highway 59, thence south over U.S. Highway 59 to Garnett, Kans., thence west over unnumbered County Highway to junction U.S. Highway 75, thence south over U.S. Highway 75 to Independence, Kans., thence east over U.S. Highway 160 to junction U.S. Highway 169, thence south over U.S. Highway 169 to Coffeyville, and return over the same route to Ottawa, Kans., thence over U.S. Highway 59 to junction U.S. Highway 56, thence over U.S. Highway 56 to Kansas City, serving the intermediate and off-route points of Stilwell, Ottawa, Garnett, Westphalia, Burlington, Yates Center, Buffalo, Altoona, Fredonia, Neodesha, and Independence, Kans. RESTRIC-TION: Shipments transported under the authority sought herein originating at points beyond Kansas City, Mo., will be limited to those having an immediately prior or subsequent rail or air haul. Owing to the regular volume of traffic moving between Kansas City and points on the proposed route, the standard prior or subsequent rail or air haul limitation will not be applicable to that traffic.

No. MC 108461 (Sub No. 91), filed May 16, 1960. Applicant: WHITFIELD TRANSPORTATION, INC., 240 West Amador, Las Cruces, N. Mex. Applicant's representative: J. P. Rose, V. Pres.—Traffic, Whitfield Transportation, Inc., P.O. Box 5345, El Paso, Tex. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, except those of unusual value, Classes A and B explosives, household

goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between El Paso, Tex., and site of White Sands Missile Range, N. Mex., as follows: From El Paso over U.S. Highway 54 to junction of unnumbered highway, approximately four miles north of El Paso, thence over unnumbered highway to White Sands Missile Range, and return over the same route. serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between El Paso and White Sands Missile Range.

Note: Applicant states it owns all outstanding capital stock of Whitfield Tank Lines, Inc., MC 114897; therefore, common control may be involved.

No. MC 109616 (Sub-No. 11), filed May 12, 1960. Applicant: CONSOLIDATED TRUCK LINES, LIMITED, 775 The Queensway, Toronto, Ontario, Canada. Applicant's consultant: Floyd B. Piper, Crosby Building, Franklin Street at Mohawk, Buffalo 2, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Muriatic (hydrochloric) acid, in bulk, in tank vehicles, from the boundary of the United States and Canada at or near Port Huron, Mich., to Genoa, Ohio.

No. MC 113908 (Sub No. 70), filed May 9, 1960. Applicant: ERICKSON TRANSPORT CORPORATION, MAIN OFFICE: P.O. Box 706, 706 West Tampa, Springfield, Mo., MAILING ADDRESS: Coon Valley, Wis. Applicant's attorney: Turner White, 808 Woodruff Building, Springfield, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Linseed oil, in bulk, in tank vehicles, from Minneapolis-St. Paul, Minn., to Kansas City, Mo.

No. MC 114608 (Sub No. 5) filed May 11, 1960. Applicant: FURNITURE CAP-ITAL TRUCK LINES, INC., 1621 Century Avenue SW., Grand Rapids, Mich. Applicant's attorney: Wilhelmina Boersma, 2850 Penobscot Building, De-Wilhelmina troit 26, Mich. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Dishwashers, and parts thereof, when moving in mixed loads with refrigerators, electric ranges and laundry equipment, from Grand Rapids, Mich., to points in Illinois, Indiana, and Ohio, and refused, rejected or damaged shipments of the above-described commodities, on return.

Note: Applicant states the proposed transportation will be conducted under a continuing contract with Kelvinator Division of American Motors Corporation.

No. MC 119638 (Sub-No. 2), filed May 13, 1960. Applicant: J. W. HOFACKET, 1509 11th Street, Levelland, Tex. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Fluorspar ore, fluorspar ore concentrate, in bulk, in hopper or dump truck vehicles, from the International boundary line between the United States and Mexico at Heath Crossing, Tex., to Marathon, Tex.

No. MC 119777, filed May 16, 1960. Applicant: ARNOLD LIGON, doing business as ARNOLD LIGON, SPECIALIZED HAULER, P.O. Box 31, Madisonville, Ky. Applicant's attorney: Robert M. Pearce, Seventh Floor, McClure Building, Frankfort, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pallets, skids, bases, boxes, crating, veneer, baskets, oak treads, oak risers, oak sills, oak molding, and lumber, between points in Kentucky on and west on U.S. Highway 31E.

PETITION

No. MC 61506 (PETITION FOR IN-TERPRETATION OF COMMODITY DESCRIPTION IN CONTRACT CAR-RIER PERMIT), filed May 9, 1960. Petitioner: RUSSELL TRANSFER COM-PANY, INC., Washington, Ga. Petitioner's attorney: Theodore M. Forbes, Jr., Suite 825, The Citizens & Southern National Bank Building, Atlanta 3, Ga. By virtue of Permit No. MC 61506, dated December 2, 1949, petitioner holds authority to transport: "gasolene, kerosene, refined and crude oils, and equipment used or useful in connection therewith, between Charleston, S.C., and Savannah, Ga., on the one hand, and, on the other, points in Georgia and South Carolina.' The subject petition seeks an interpretation of the Permit No. MC 61506 so as to allow the transportation of petroleum and petroleum products and equipment used or useful in connection therewith, between the points named above. Any persons desiring to oppose the relief sought may file an appropriate pleading within 30 days from the date of this publication in the FEDERAL REGISTER.

Applications for Certificates or Permits Which Are To Be Processed Concurrently With Applications Under Section 5, Governed by Special Rule 1.240 to the Extent Applicable

No. MC 7746 (Sub No. 106), filed May 16, 1960. Applicant: UNITED TRUCK LINES, INC., East 915 Springfield Avenue, Spokane, Wash. Applicant's attorney: Randall Swanberg, 529-33 Ford Building, Great Falls, Mont. Authority sought to operate as a common carrier. by motor vehicle, over regular routes, transporting: General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Kalispell, Mont., and Havre, Mont.: from Kalispell over U.S. Highway 2 to Havre, and return over the same route, serving all intermediate points; (2) between Kalispell, Mont., and Whitefish, Mont.: from Kalispell over U.S. Highway 93 to Whitefish, and return over the same route, serving all intermediate points; (3) between junction U.S. Highway 93 and Montana Highway 40, and junction U.S. Highway 2 and Montana 40: from junction U.S. Highway 93 and Montana Highway 40, approximately two (2) miles south of Whitefish, over Montana Highway 40 to junction U.S. Highway 2 and Montana Highway 40, approximately two (2) miles east of Columbia

Falls, Mont., and return over the same route, serving all intermediate points; (4) between Great Falls, Mont., and Shelby, Mont.: from Great Falls over combined U.S. Highways 89 and 91 to junction near Vaughn, Mont., and thence over U.S. Highway 91 to Shelby, and return over the same route, serving no intermediate points; (5) between Billings, Mont., and Malta, Mont.: from Billings over U.S. Highway 87 to junction Montana Highway 20 unnumbered Montana Highway, approximately one (1) mile north of Grass Range, Mont., thence over unnumbered Montana highway to junction Montana Highway 19, approximately six (6) miles east of Roy, Mont., and thence over Montana Highway 19 to Malta, and return over the same route, serving no intermediate points; and (6) between junction U.S. Highway 87, unnumbered Montana Highway and Montana Highway 20, approximately one (1) mile north of Grass Range, Mont., and junction Montana Highway 19 and unnumbered Montana highway, approximately six (6) miles east of Roy, Mont.: from junction U.S. Highway 87, unnumbered Montana Highway and Montana Highway 20, approximately one (1) mile north of Grass Range, over U.S. Highway 87 to Lewistown, Mont., and thence over Montana Highway 19 to junction unnumbered Montana highway, approximately six (6) miles east of Roy, and return over the same route, serving no intermediate points.

Note: This application is directly related to the Section 5 proceeding in No. MC-F-7513, United Truck Lines, Inc. Purchase-United Freight Lines, Inc., published in the May 4, 1960 issue of the Federal Register.

Applications Under Sections 5 and 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under section 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F 7479, (VALLEY MOTOR LINES, INC.—PURCHASE—PIERCE FREIGHT LINES, INC.), published in the March 23, 1960, issue of the Federal Register on page 2460. Supplément filed May 17, 1960, to show joinder of HORACE W. STEELE, 546 West Madison, Phoenix, Ariz., W. B. ALLEN, 117 West Ninth Street, Los Angeles, Calif., and C. G. ALLEN, 117 West Ninth Street, Los Angeles, Calif., as individuals, SERVICE TANK LINES, INC., 117 West Ninth Street, Los Angeles, Calif. (in turn by C. G. ALLEN, President), and NELLA CORPORATION, Carson City, Nev. (in turn by W. B. ALLEN, President) as additional parties controlling vendee.

No. MC-F 7507, ELLSWORTH BROS. TRUCK LINE, INC.—PURCHASE (PORTION)—W.R. STUBBS, published in the April 27, 1960, issue of the Federal Register on page 3696. Supplement field May 16, 1960, to show joinder of LEVOY C. ELLSWORTH. CHARLES ELLS

WORTH, and JOHN ELLSWORTH, all of Drawer J, Stroud, Okla., as the parties controlling vendee.

No. MC-F 7527 (correction) (RED-WING CARRIERS, INC.—CONTROL—ROCKANA CARRIERS, INC.), published in the May 18, 1960 issue of the FEDERAL REGISTER on page 4415. The address of Attorney James E. Wilson should have been shown as 1111 E Street NW., Washington, D.C.

ington, D.C. No. MC-F 7530. Authority sought for control by NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver 23, Colo., of GENERAL EX-PRESSWAYS, INC. (A CONNECTICUT CORPORATION), 1020 South Wabash Avenue, Chicago 5, Ill., and for acquisi-tion by LAURENCE COHEN, also of Denver, of control of GENERAL EX-PRESSWAYS, INC. (A CONNECTICUT CORPORATION), through the acquisition by NAVAJO FREIGHT LINES, INC. Applicant's attorneys: O. Russell Jones, P.O. Box 1437, Bokum Building, Santa Fe, N. Mex., and Floyd F. Shields, 5613 Johnson Drive, Mission, Kans. Operating rights sought to be controlled: General commodities, excepting, among others, household goods and commodities in bulk, as a common carrier over regular routes, including routes between Boston, Mass., and Washington, D.C., between Westfield, Mass., and Albany. N.Y., between Norwalk, Conn., and Lenox, Mass., between Springfield, Mass., and New Haven, Conn., between Providence, R.I., and Groton, Conn., between specified points in Ohio, between specified points in Iowa, between specified points in Michigan, between Columbus, Ohio, and Lagrange, Ind., between Cincinnati, Ohio, and Jackson, Mich., between Cincinnati, Ohio, and Fort Wayne, Ind., between North Vernon, Ind., and Muskegon and Greenville, Mich, between Chicago, Ill., and Niagara Falls, N.Y., between Chicago, Ill., and Columbus, Ohio, between Bloomington, Ill., and St. Louis, Mo., between Chicago, Ill., and Detroit, Mich., between Rockford, Ill., and Beloit, Wis., and between specified points in New York, serving certain intermediate and off-route points; several alternate routes for operating convenience only; general commodities, excepting, among others, commodities in bulk but not excepting household goods, between specified points in Iowa, between Marshalltown, Iowa, and Moline, Ill., and between Moline, Ill., and Des Moines, Iowa, serving certain intermediate and off-route points; general commodities, between South Bend, Ind., and Buchanan, Mich., with no service at inter-. mediate points or at the terminus of South Bend; alternate route for operating convenience only between Angola, Ind., and Marshall, Mich.; general commodities, excepting, among others, household goods and loose bulk commodities, between Chicago, Ill., and Mil-waukee, Wis., between Milwaukee, Wis., and Minneapolis, Minn., between Chicago, Ill., and Minneapolis, Minn., between Neillsville, Wis., and Minneapolis, Minn., between Madison, Wis., and Rockford, Ill., between specified points in Wisconsin, between specified points in New York, between Eau Claire, Wis., and St.

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Paul, Minn., between St. Paul, Minn., and New Richmond, Wis., and between St. Paul, Minn., and Cameron, Wis., serving certain intermediate and offroute points; alternate route for operating convenience only between junction U.S. Highway 12 and unmarked town road (formerly U.S. Highway 12) west of Eau Claire, Wis., in the town of Union, Eau Claire County, Wis., and junction U.S. Highway 12 and U.S. Highway 53, east of Eau Claire, Wis.; dairy products, eggs, and dressed poultry, between junction Wisconsin Highway 46 and Wisconsin County Highway H north of Amery, Wis., and junction U.S. Highway 8 and Wisconsin County Highway H, serving the intermediate point of Volga, Wis.; two alternate routes for operating convenience only; general commodities, excepting, among others, household goods and commodities in bulk, over irregular routes, between certain points in Minnesota. NAVAJO FREIGHT LINES, INC., is authorized to operate as a common carrier in New Mexico, California, Arizona, Texas, Colorado, Illinois, Nebraska. Missouri, Iowa, Nevada, Oklahoma, Kansas, Indiana, and Utah. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7536. Authority sought for purchase by VANCE TRUCKING COM-PANY, INC., Dabney Drive, Henderson, N.C., of a portion of the operating rights NORTHERN NECK TRANSFER. INC., Montross, Va., and for acquisition by JOHN C. CHURCH and N. P. STRAUSE, both of Henderson, of control of such rights through the purchase. Applicants' attorney: James E. Wilson, 716 Perpetual Building, 1111 E Street NW., Washington 4, D.C. Operating rights sought to be transferred: Vegetables, canned goods, fresh and frozen fish and fish products, building materials, malt beverages, tires, feed and feed ingredients, as a common carrier over irregular routes, between points in King George County, Va., on the one hand, and, on the other, Richmond, Va., and Norfolk, Va.: building materials, in truckload lots, between points in that part of King George County, Va., on and east of U.S. Highway 301, on the one hand, and, on the other, points in North Carolina, West Virginia, Maryland, Delaware, New Jersey, New York, Pennsylvania, and Washington, D.C. Vendee is authorized to operate as a common carrier in South Carolina, Florida, Virginia, Maryland, Pennsylvania, New Jersey, New York, North Carolina, Delaware, Georgia, Kentucky, West Virginia, Tennessee, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7537. Authority sought for control by YELLOW CAB COMPANY, 254 Turk Street, San Francisco 2, Calif., of DiSALVO TRUCKING CO., 800 Phelps Street, San Francisco 2, Calif. Applicant's attorney: E. M. Berol, 100 Bush Street, San Francisco 4, Calif. Operating rights sought to be controlled: Operations under the Second Proviso of section 206(a) (1). Interstate Commerce Act, covering the transportation, in the State of California, of general commodities, with certain exceptions as more spe-

cifically described in Docket No. MC 96788, over irregular routes, between San Francisco territory and Los Angeles territory and between Stockton, Manteca, Ripon, Salida, Modesto, Ceres, Keyes, Turlock, Delhi, Livingston, Arena, Atwater, Fergus, Merced, Lingard, Athlone, Minturn, Chowchilla, Califa, Fairmead, Berends, Madera, Borden, Herndon, and Fresno and points intermediate thereto on Highway U.S. 99, on the one hand, and, on the other, San Francisco territory or Los Angeles territory. YELLOW CAB COMPANY holds no authority from this Commission. However, it is affiliated with ATLANTIC TRANSFER CO., 1100 East Fifth Street, Los Angeles 13, Calif., which is authorized to operate as a common carrier in California, and also under the Second Proviso of section 206(a) (1), Interstate Commerce Act, in the State of California. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7538. Authority sought for merger into HOWARD TERMINAL, 75 Market Street, P.O. Box 857, Oakland 4, Calif., of the operating rights and property of EL DORADO MOTOR TRANSPORTATION COMPANY, Market Street, Oakland 4, Calif., and for acquisition by C. P. HOWARD, PETER HOWARD, HARMON HOWARD, HENRY S. HOWARD, MRS. JOHN L. HOWARD, MRS. SIDNEY HOWARD and BRUCE HOWARD, all of Oakland, of control of such rights and property through the transaction. Applicants' attorney: William W. Schwarzer, 351 California Street, San Francisco, Calif. Operating rights sought to be merged: General commodities, excepting, among others, household goods and commodities in bulk, as a common carrier over regular routes between Sacramento, Calif., and Pollock Pines and Jackson, Calif., serving the intermediate points of Sloughouse, Michigan Bar, Drytown, Amador City, Sutter Creek, and Martell, Calif.; operations under the Second Proviso of section 206(a) (1), Interstate Commerce Act, covering the transportation of general commodities, with certain exceptions, between specified points in California, these rights being more specifically described in Dockets Nos. MC 28504 Subs 2, 3, 4 and 5. HOWARD TERMINAL is authorized to operate under the Second Proviso of section 206(a) (1), Interstate Commerce Act, as a common carrier in California. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7539. Authority sought for purchase by HARRY SCHNEIDER AND ROSE SCHNEIDER, doing business as SCHNEIDER'S TRANSFER, Fourth and Maury Streets, P.O. Box 21, Richmond 24, Va., of a portion of the operating rights of W. I. WORSHAM, R. B. WORSHAM, AND D. A. WORSHAM, doing business as W. I. WORSHAM & BROS. (BLACKWELL N. SHELLEY, TRUSTEE), 2100 East Ninth Street, P.O. Box 307, Richmond, Va. Applicants' attorney: Paul A. Sherier, 601 Warner Building, Washington 4, D.C. Operating rights sought to be transferred: Packing-house products and

fresh meats, as a contract carrier over irregular routes, from Richmond, Va., to points in Virginia within 60 miles of Richmond; new furniture, in cartons, set up, from Richmond, Va., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Ohio, West Virginia, Michigan, Indiana, Kentucky, Illinois, and Tennessee, and certain points in New York, Maryland, Delaware and Pennsylvania; new furniture, in cartons, from Richmond, Va., to points in Alabama, Florida, Georgia, and South Carolina; new furniture, crated or uncrated, as described in Appendix II to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, from Richmond, Va., to points in Mississippi. Vendee is authorized to operated as a contract carrier in Virginia, Pennsylvania, South Carolina, North Carolina, West Virginia, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7540. Authority sought for control by DAVID ZIFFRIN AND LOUIS ZIFFRIN, 530 Kentucky Avenue, Indianapolis, Ind., of JASPER & CHICAGO MOTOR EXPRESS, INC., Indiana Highways 45 and 56, Jasper, Ind. Applicants' attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Operating rights sought to be controlled: General commodities, as a common carrier over regular routes, between New Albany, Ind., and East Mount Carmel, Ind., serving (1) all intermediate points without restriction, (2) the off-route points of Mount Carmel, Ill., and Winslow, Holland, Otwell, Ireland, and Velpen, Ind., restricted to the transportation of general commodities, except those of unusual value, dangerous explosives, livestock, household goods as defined by the Commission, and commodities in bulk, and (3) points in Indiana within five miles of New Albany, Princeton, and East Mount Carmel, Ind., restricted to the transportation of general commodities, except those of unusual value, dangerous explosives, livestock, household goods as defined by the Commission, and commodities in bulk; general commodities, excepting, among others, household goods and commodities in bulk, between Huntingburg, Ind., and Chicago, Ill., between specified points in Indiana, between Louisville, Ky., and Palmyra, Ind., and between Vincennes, Ind., and Flora, Ill., serving certain intermediate and off-route points; several alternate routes for operating convenience only; milk, cream and farm machinery, from Palmyra, Ind., to Edwardsville, Ind., serving all intermediate points. DAVID ZIFFRIN AND LOUIS ZIFFRIN hold no authority from this Commission. However, they are affiliated with ZIFFRIN TRUCK LINES, INC., 1120 South Division Street, Indianapolis, Ind., which is authorized to operate as a common carrier in Wisconsin, Indiana, Ohio, Kentucky and Illinois. Application has not been filed for temporary authority under section 210a(b).

Nore: A motion to dismiss this application for lack of jurisdiction was filed simultaneously.

No. MC-F 7541. Authority sought for merger into BEST WAY MOTOR FREIGHT, INC., 1905 Sixth Avenue South, Seattle 4, Wash., of the operating rights and property of JOHNSON FREIGHT LINES, INC., 1962 Sixth Avenue South, Seattle 4, Wash., and for acquisition by S. S. ELAND, also of Seattle, of control of such rights and property through the transaction. Applicants' attorney: Don J. Clark, Box 609, Pasco, Wash. Operating rights sought to be merged: General commodities, excepting, among others, household goods and commodities in bulk, as a common carrier over regular routes between St. Helens, Oreg., and Seattle, Wash., serving all intermediate points; alternate routes for operating convenience only between Tenino (junction U.S. Highway 99 and Washington Highway 5-H), Wash., and Tacoma, Wash., and between Portland, Oreg., and Kelso, Wash.; general commodities, excepting, among others, commodities in bulk but not excepting household goods, between Portland, Oreg., and Westport, Oreg., serving certain intermediate and off-route points; mining and milling machinery, tools, equipment, and such supplies as are used in mining and milling processes, in truckloads, between Seattle, Wash., and Republic, Wash., serving no intermediate points, service restricted to truckloads of the above-specified commodities whether of one commodity or a group of commodities moving in interstate or foreign commerce, or to truckloads made up of such commodities in conjunction with other shipments moving in intrastate commerce; heavy machinery and equipment used in construction, mining, and logging operations, over irregular routes, between points in King County, Wash., on the one hand, and, on the other, certain points in Idaho and Oregon; machinery, contractors' equipment, and manufacturing plant equipment, between Seattle, Wash., on the one hand, and, on the other, certain points in Idaho; pipe, between Seattle, Wash., and Portland, Oreg.; those rights claimed in an application seeking a "grandfather" certificate under section 7 of the Transportation Act of 1958 viz, frozen fruits, frozen berries and frozen vegetables, between Salem, Oreg., and Seattle, Wash., over U.S. Highways 99 and 99E, serving all intermediate points, including Wood-burn, Oreg. BEST WAY MOTOR FREIGHT, INC., is authorized to operate as a common carrier in Washington. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7542. Authority sought for purchase by INTERSTATE MOTOR LINES, INC., 235 West Third South Street, Salt Lake City 1, Utah, of the operating rights of CHARLES M. HADERLIE, Thayne, Wyo., and for acquisition by T. S. CARTER, also of Salt Lake City, of control of such rights through the purchase. Applicants' attorneys: Berol and Geernaert, 100 Bush Street, Suite 620, San Francisco 4, Calif. Operating rights sought to be transferred: General commodities, excepting, among others, household goods and commodities in bulk, as a common carrier over regular routes, between Afton, Wyo., and

Pocatello, Idaho, serving certain intermediate and off-route points; grain and livestock feed, in bulk, between Afton, Wyo., and Pocatello, Idaho, serving certain intermediate and off-route points; cement, from Inkom, Idaho, to Afton, Wyo., serving certain intermediate and off-route points; brick and tile, from Ammon, Idaho, to Afton, Wyo., serving intermediate and off-route certain points. Vendee is authorized to operate as a common carrier in Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Nevada, Oregon, Utah, Washington, and Wyoming. Application has not been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC-F 7543. Authority sought for purchase by TEXAS BUS LINES, 818 Center, P.O. Box 418, Galveston, Tex., of the operating rights of COASTAL COACHES, INC., 1802 Mechanic Street, Galveston, Tex. Applicants' representative: E. V. Kitterlin, Traffic Manager, Texas Bus Lines, P.O. Box 418, Galveston. Operating rights sought to be Tex. transferred: Passengers and their baggage, and express and mail, in the same vehicle with passengers, as a common carrier over regular routes, between Beaumont, Tex., and High Island, Tex., serving all intermediate points; passengers and their baggage, and express, in the same vehicle with passengers, between Galveston, Tex., and Port Arthur, Tex., serving all intermediate points. Vendee is authorized to operate as a common carrier in Texas. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy, Secretary.

[F.R. Doc. 60-4692; Filed, May 24, 1960; 8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 20, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the Federal Register.

LONG-AND-SHORT HAUL

FSA No. 36252: Substituted service—MKT and MKT of T for Commercial Oil Transport. Filed by Middlewest Motor Freight Bureau, Agent (No. 241), for interested rail and motor carriers. Rates on property loaded in highway tank trailers and transported on railroad flat cars between Kansas City, Kans., on the one hand, and Dallas, Denison, Fort Worth, Tex., and Oklahoma City, Okla., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 131 to Middlewest Motor Freight Bureau tariff MF-I.C.C. 223.

FSA No. 36253: Sand and gravel—Indiana points to Montrose and Teutopolis, Ill. Filed by Illinois Freight Association, Agent (No. 100), for The Pennsylvania Railroad Company. Rates on crushed stone, sand and gravel, in carloads, from Greencastle, Limedale, and Terre Haute, Ind., to Montrose and Teutopolis, Ill.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 169 to The Pennsylvania Railroad Company's tariff I.C.C. 3183

FSA No. 36254: Plaster and related articles from Rosario, N. Mex. Filed by Southwestern Freight Bureau, Agent (No. B-7802), for interested rail carriers. Rates on plaster, gypsum wallboard, and related articles, in carloads, from Rosario, N. Mex., to points in Illinois, Indiana, Kentucky, Missouri, and Wisconsin.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 81 to Southwestern Freight Bureau tariff I.C.C. 4017.

FSA No. 36255: Roofing and building material from San Antonio, Tex. Filed by Southwestern Freight Bureau, Agent (No. B-7793), for interested rail carriers. Rates on roofing and building material and slate roofing, in carloads, as described in the application, from San Antonio, Tex., to points in southern territory, also Mississippi River crossings Memphis, Tenn., and south, and Helena and West Helena, Ark.

Grounds for relief: Market competition.

Tariff: Southwestern Freight Bureau tariff I.C.C. 4356.

FSA No. 36256: Wheat and flour—Southwest to Pascagoula, Miss. Filed by St. Louis-San Francisco Railway Company (No. 232), for interested rail carriers. Rates on wheat and flour, in carloads, from points on the St. L-SF Ry., in Kansas, Missouri and Oklahoma, to Pascagoula, Miss.

Grounds for relief: Port equalization. Tariff: St. Louis-San Francisco Railway Company's tariff A-829.

By the Commission.

[SEAL] HAROLD D. McCov, Secretary.

[F.R. Doc. 60-4691; Filed, May 24, 1960; 8:47 a.m.]

KEITH LYRLA

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Division of the Federal Register for publication in the Federal Register for publication in formation showing any changes in my financial interests and business connections as heretofore reported and published (20 F.R. 10086; 21 F.R. 3475; 21 F.R. 9198; 22 F.R. 3777; 22 F.R. 9450;

23 F.R. 3798; 23 F.R. 9501; 24 F.R. 4187 and 24 F.R. 9502) during the six months' period ended May 14, 1960.

None.

Dated: May 14, 1960.

[SEAL]

KEITH H. LYRLA.

[F.R. Doc. 60-4963; Filed, May 24, 1960; 8:47 a.m.]

EUGENE S. ROOT

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Division of the Federal Register for publication in the Federal Register for publication in formation showing any changes in my financial interests and business connections as heretofore reported and published (20 F.R. 10086; 21 F.R. 3475; 21 F.R. 9198; 22 F.R. 3777; 22 F.R. 9450; 23 F.R. 3798; 23 F.R. 9501; 24 F.R. 4187; and 24 F.R. 9502) during the six months' period ended May 10, 1960.

Nothing to report.

Dated: May 10, 1960.

[SEAL]

EUGENE S. ROOT.

[F.R. Doc. 60-4694; Filed, May 24, 1960; 8:47 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator FEDERAL HOUSING COMMISSIONER ET AL.

Revocation of Delegations of Authority

The following delegations of authority with respect to HHFA Regulations CR 2 and 3 under Chapter XVII, Title 32A of Code of Federal Regulations (concerned with residential credit controls under Defense Production Act of 1950, 50 U.S.C. App. section 2061, but now obsolete (see Editorial Note, 25 F.R. 1076, Feb. 6, 1960)), are hereby revoked:

- 1. Delegation to Federal Housing Commissioner with respect to HHFA Regulation CR 3, which delegation was effective May 2, 1951 (16 F.R. 3865, May 2, 1951):
- 2. Delegation to HHFA Regional Representatives with respect to HHFA Regulation CR 3, which delegation was effective October 2, 1953 (18 F.R. 6324, Oct. 2, 1953);
- 3. Delegation to HHFA Regional Representative of Region II (Atlanta), Region III (Chicago), and Region V (San Francisco), with respect to HHFA Regulation CR 2, which delegation was

effective December 29, 1953 (18 F.R. 8813, Dec. 29, 1953).

Effective as of the 25th day of May 1960.

[SEAL]

NORMAN P. MASON, Housing and Home Finance Administrator.

[F.R. Doc. 60-4690; Filed, May 24, 1960; 8:47 a.m.]

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

NEBRASKA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, Executive Order 10773 of July 1, 1958, and Executive Order 10782 of September 6, 1958 (18 F.R. 407, 22 F.R. 8799, 23 F.R. 5061, and 23 F.R. 6971); by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; and in furtherance of a declaration by the President in his letter to me dated April 4, 1960, reading in part as follows:

- I hereby determine the damage in the various areas of the State of Nebraska, adversely affected by recent and current floods, to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government to supplement State and local efforts.
- I do hereby determine the following areas in the State of Nebraska to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 4, 1960:

The counties of:

Adam. Kearney. Antelope. Keya Paha. Boone. Knox. Boyd. Madison. Burt. Merrick. Butler. Nemaha. Cass. Otoe. Pawnee. Chase. Clay. Phelps. Colfax. Pierce. Cuming. Platte. Custer. Polk. Richardson. Dawson. Dixon. Saline. Dodge. Sarpy. Saunders. Douglas. Furnas. Seward. Gage. Stanton. Greelev. Thaver. Hitchcock. Washington. Webster. Jefferson. York. Johnson.

Dated: May 13, 1960.

LEO A. HOEGH, Director.

[F.R. Doc. 60-4672; Filed, May 24, 1960; 8:45 a.m.]

SOUTH DAKOTA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, Executive Order 10773 of July 1, 1958, and Executive Order 10782 of September 6, 1958 (18 F.R. 407, 22 F.R. 8799, 23 F.R. 5061, and 23 F.R. 6971); by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g), as amended; and in furtherance of a declaration by the President in his letter to me dated April 8, 1960, reading in part as follows:

I hereby determine the damage in the various areas of the State of South Dakota, adversely affected by recent and current floods, to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government to supplement State and local efforts.

I do hereby determine the following areas in the State of South Dakota to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 8, 1960:

The counties of:

Bon Homme. Lincoln.
Charles Mix. McCook.
Clay. Minnehaha.
Gregory. Moody.
Hanson. Sanborn.
Hutchinson. Turner.
Kingsbury. Union.
Lake. Yankton.

Dated: May 13, 1960.

LEO A. HOEGH, Director.

[F.R. Doc. 60-4673; Filed, May 24, 1960; 8:45 a.m.]

SMALL BUSINESS ADMINISTRA-

[Delegation of Authority No. 30–XIII–7 (Rev. 1)]

BRANCH MANAGER, ANCHORAGE, ALASKA

Delegation Relating to Financial Assistance, Procurement and Technical Assistance and Administrative Functions

- I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6) (25 F.R. 1706), there is hereby delegated to the Branch Manager, Anchorage, Alaska, the authority:
- A. Financial assistance. 1. To approve or decline Limited Loan Participation loans.
- 2. To approve or decline disaster loans not in excess of \$50,000.
- B. Procurement and technical assistance. 1. To (a) determine joint set-asides for Government procurements and sales, (b) determine the need for

representation at procurement and disposal center; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.

C. Administrative. 1. To administer oaths of office.

2. To approve (a) annual and sick leave; (b) leave without pay, not to exceed 30 days.

- 3. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$10 in any one object class in any one instance but not more than \$20 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitation set forth in (a) of this paragraph; and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$20 in any one instance.
- 4. To administratively approve all types of vouchers, invoices, and bills submitted by public creditors of the Agency for articles or service rendered.
- 5. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.
- D. Correspondence. To sign all correspondence, including Congressional correspondence, relating to the functions of the Branch Office, except correspondence involving new policy and correspondence to borrowers or guarantors containing any threat of legal action.

II. The specific authority delegated herein may not be redelegated, except that the signing of routine correspondence relating to the functions of the Branch Office may be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager is rescinded without prejudice to actions taken under such delegations of authority prior to the date hereof.

Effective date: April 27, 1960.

NEAL E. TOURTELLOTTE. Regional Director. Seattle Regional Office.

[F.R. Doc. 60-4683; Filed, May 24, 1960; 8:46 a.m.]

[Delegation of Authority 30-XIII-6 (Rev. 1)]

BRANCH MANAGER, HELENA, MONT. Delegation Relating to Financial Assistance, Procurement and Technical Assistance and Administrative **Functions**

- I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6) (25 F.R. 1706), there is hereby delegated to the Branch Manager, Helena, Montana, the authority:
- A. Financial assistance. 1. To approve or decline Limited Loan Participation loans.
- 2. To approve or decline disaster loans not in excess of \$50,000.

- 3. To approve but not decline participation loans in an amount not exceeding \$100,000.
- 4. To take all necessary actions in connection with the administration, servicing and collection of all loans and other obligations or assets, including collateral purchased, and to do and to perform, and to assent to the doing and performance of, all and every act and thing requisite and proper to be done for the purpose of effectuating the granted powers.
- B. Procurement and technical assistance. 1. To (a) determine joint setasides for Government procurements and sales, (b) determine the need for representation at procurement and disposal centers: and (c) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.
- C. Administration. 1. To administer oaths of office.
- 2. To approve (a) annual and sick leave; (b) leave without pay, not to exceed 30 days.
- 3. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$10 in any one object class in any one instance but not more than \$20 in any one month for total purchases in all object classes: (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitation set forth in (a) of this paragraph; and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$20 in any one instance.
- 4. To administratively approve all types of vouchers, invoices, and bills submitted by public creditors of the Agency for articles or service rendered.
- 5. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.
- D. Correspondence. To sign all correspondence, including Congressional correspondence, relating to the functions of the Branch Office, except correspondence involving new policy and correspondence to borrowers or guarantors containing any threat of legal action.
- II. The specific authority delegated herein may not be redelegated, except that the signing of routine correspondence relating to the functions of the Branch Office may be redelegated.
- III. All authority delegated herein except that contained in Section I.A. 1, 2, and 3 may be exercised by any SBA employee designated as Acting Branch Manager.
- IV. All previous authority delegated by the Regional Director to the Branch Manager is rescinded without prejudice to actions taken under such delegations of authority prior to the date hereof.

Effective date: April 27, 1960.

NEAL E. TOURTELLOTTE, Regional Director, Seattle Regional Office.

8:46 a.m.]

[Delegation of Authority 30-XIII-17]

BRANCH MANAGER, BOISE, IDAHO

Delegation Relating to Procurement and Technical Assistance and Administrative Functions

- I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6) (25 F.R. 1706), there is hereby delegated to the Branch Manager, Boise, Idaho, the authority:
- A. Procurement and technical assistance. 1. To (a) determine joint setasides for Government procurements and sales, (b) determine the need for representation at procurement and disposal centers: and (c) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.
- B. Administration. 1. To administer oaths of office.
- 2. To approve (a) annual and sick leave; (b) leave without pay, not to exceed 30 days.
- 3. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$10 in any one object class in any one instance but not more than \$20 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitation set forth in (a) of this paragraph; and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$20 in any one instance.
- 4. To administratively approve all types of vouchers, invoices, and bills submitted by public creditors of the Agency for articles or service rendered.
- 5. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.
- C. Correspondence. To sign all correspondence, including Congressional correspondence, relating to the functions of the Branch Office, except correspondence involving new policy and correspondence to borrowers or guarantors containing any threat of legal action.
- II. The specific authority delegated herein may not be redelegated, except that the signing of routine correspondence relating to the functions of the Branch Office may be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager is rescinded without prejudice to actions taken under such delegations of authority prior to the date hereof.

Effective date: April 27, 1960.

NEAL E. TOURTELLOTTE, Regional Director, Seattle Regional Office.

[F.R. Doc. 60-4682; Filed, May 24, 1960; [F.R. Doc. 60-4684; Filed, May 24, 1960; 8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

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